This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

VA
DOC

GA
7/M31/
948

General Assembly of Virginia

MANUAL OF THE SENATE AND HOUSE OF DELEGATES

Session 1948

UNIVERSITY OF VIRGINIA LIBRARY

X030341628

Digitized by Google

Digitized by Google

Digitized by Google

THE CAPITOL

Digitized by Google

General Assembly of Virginia

MANUAL OF THE SENATE AND HOUSE OF DELEGATES

Session : 1948

COMMONWEALTH OF VIRGINIA
Division of Purchase and Printing
Richmond
1948

VIRGINIA STATE DOCUMENT
Public Documents
University of Virginia Library

389548

Compiled by

CLERK OF THE HOUSE OF DELEGATES

VIRGINIA STATE DOCUMENT
Public Documents
Digitized by Google
University of Virginia Library

CONTENTS

SENATE

	Pages
Districts and Senators	9– 12
The Senate (Alphabetical List of Members Showing District, Post Office, etc.)	13– 15
Officials of the Senate	16– 17
Diagram of Senate Chamber	18
Alphabetical List of Senators Showing Number of Seat	19
Committee Assignments of Senators	20– 25
Senate Standing Comittees	26– 29
Rules of the Senate	30– 56
Index to Rules	57– 65

HOUSE OF DELEGATES

Districts and Delegates	67– 77
Members of the House, Showing Post Office, County or City, and Telegraph Offices	78– 83
Officials of the House	84– 86
Diagram of Hall of the House	87
Seating Arrangement, Names and Numbers	88– 89
Congressional Districts, Arrangement of Members	90– 95
Committee Assignments of Members of the House	96–106

Digitized by Google

Pages
Standing Committees, Showing Members. 107–113
Rules of House..... 114–135
Index to Rules..... 136–158

MISCELLANEOUS

State Officers..... 6– 8
Biographies of Members of General Assembly..... 159–205
References to Code and Acts..... 207–227

APPENDIX
CONSTITUTION OF VIRGINIA

Table of Contents..... 1– 9
Article I—Bill of Rights..... 10– 16
Article II—Elective Franchise and Qualifications for Office..... 16– 28
Article III—Division of Powers..... 28
Article IV—Legislative Department..... 28– 44
Article V—Executive Department..... 44– 54
Article VI—Judiciary Department..... 55– 68
Article VII—Organization and Government of Counties..... 68– 73
Article VIII—Organization and Government of Cities and Towns..... 73– 84
Article IX—Education and Public Instruction..... 84– 93
Article X—Agriculture and Immigration. 94– 95
Article XI—Public Welfare and Penal Institutions..... 96– 97

Digitized by Google

	Pages
Article XII—Corporations	97–122
Article XIII—Taxation and Finance	122–142
Article XIV—Miscellaneous Provisions, Homestead and Other Exemptions	142–145
Article XV—Future Changes in the Constitution	145–146
Article XVI—Rules of Construction	147
Article XVII—Voting Qualification of Armed Forces	147–148
Index	149–176

University of Virginia Digitized by Google

STATE OFFICERS

Governor.....WILLIAM M. TUCK.
Lieutenant Governor and President of the Senate.....LEWIS PRESTON COLLINS.
Adjutant General.....S. GARDNER WALLER.
Agriculture and Immigration, Commissioner of.L. M. WALKER, JR.
Alcoholic Beverage Control Board, Virginia...HUNTER MILLER. *Chairman.*
R. McC. BULLINGTON.
JOHN W. HARDY.
Attorney General.....HARVEY B. APPERSON.
Auditor of Public Accounts.....J. GORDON BENNETT.
Banking, Commissioner of Division of.....MILTON R. MORGAN.
Budget, Director of Division of the.....J. H. BRADFORD.
Compensation Board, Chairman.....E. R. COMBS.
Comptroller, State.....HENRY G. GILMER.
Conservation Commission, Virginia—Chairman.....WILLIAM A. WRIGHT.
Corporation Commission, State.....W. MARSHALL KING. *Chairman.*
L. McCARTHY DOWNS.
H. LESTER HOOKER.
Corrections, Commissioner of Department of.....RICE M. YOUELL.
Education, State Board of—Supt. of Public Instruction.....G. TYLER MILLER.
Elections, State Board, Secretary.....LEVIN NOCK DAVIS.

Digitized by Google

Fisheries, Commissioner of.....CHARLES M. LANKFORD, JR.

Game and Inland Fisheries, Commission of—
Executive Director....I. T. QUINN.

Grounds and Buildings, Director of the Division of.....D. V. CHAPMAN, JR.

Health Commissioner, State.....DR. L. J. ROPER.

Highway Commissioner, State.....JAMES A. ANDERSON.

House of Delegates:
Speaker.....G. ALVIN MASSENBURG.
Clerk, and Keeper of the Rolls of the State.....E. GRIFFITH DODSON.

Industrial Commission of Virginia.....W. F. ROBINSON, *Chairman.*
W. W. MARTIN.
WILLIAM H. NICKELS, JR.

Insurance, Commissioner of Division of.....GEORGE A. BOWLES.

Labor, Commissioner of.JOHN HOPKINS HALL, JR.

Librarian, State.....RANDOLPH W. CHURCH.

Mental Hygiene and Hospitals, Commissioner of.....DR. JOSEPH E. BARRETT.

Motion Picture Censorship, Division of.....J. B. BEVERLEY, JR. *Chairman.*
MRS ELIZABETH C. CHALKLEY.
MRS. JUDITH K. ROBERTS.

Motor Vehicles, Commissioner of Division of...CRAWLEY F. JOYNER, JR.

Digitized by Google

Penitentiary, Superintendent of the.....W. F. SMYTH, JR.
Planning Board, Director of Virginia State.....RAYMOND V. LONG.
Police, State, Superintendent of Department of.C. W. WOODSON, JR.
Pardons and Reprieves, Virginia Board.....RICHARD W. COPELAND, *Chairman*.
RALPH E. WILKINS.
JAMES W. PHILLIPS.
Parole Board, Virginia, Director.....RICHARD W. COPELAND.
Purchase and Printing, Director of the Division of.....A. B. GATHRIGHT.
Secretary of the Commonwealth, ex officio, Secretary to the Governor.....THELMA Y. GORDON.
Senate:
President.....L. PRESTON COLLINS.
President pro tempore.ROBERT O. NORRIS, JR.
Clerk.....E. R. COMBS.
Statutory Research and Drafting, Director of Division of.....CASSIUS M. CHICHESTER.
Tax Commissioner, State.....C. H. MORRISSETT.
Treasurer, State.....JESSE W. DILLON.
Unemployment Compensation Commission of Virginia—Chairman...JOHN Q. RHODES, JR.
Vital Statistics, Registrar, *Acting*.....ESTELLE V. MARKS.
Welfare, Commissioner of Public.....ARTHUR W. JAMES.

Digitized by Google

Senate

Digitized by Google

Digitized by Google

SENATE

LT. GOV. LEWIS PRESTON COLLINS, *President*
E. R. COMBS, *Clerk*

DISTRICTS AND SENATORS

A list showing counties, cities and towns composing the various Senatorial Districts of the State and the Senators representing the districts, arranged numerically.

1. *Accomack, Northampton and Princess Anne:*
   BEN T. GUNTER, JR., Accomac, Va.

2. *Norfolk City:*
   EDWARD L. BREEDEN, JR., Bank of Commerce Building, Norfolk, Va.
   ROBERT F. BALDWIN, JR., 116 Brooke Ave., Norfolk, Va.

3. *Norfolk County, Portsmouth and South Norfolk:*
   MAJOR M. HILLARD, Colony Theatre Building, Portsmouth, Va.

4. *Amherst, Bedford and Nelson:*
   I. PAUL WAILES, Amherst, Va.

5. *Isle of Wight, Nansemond, Southampton and Suffolk:*
   A. E. S. STEPHENS, Smithfield, Va.

6. *Greensville, Prince George, Surry, Sussex and Hopewell:*
   GARLAND GRAY, Waverly, Va.

Digitized by Google

7. *Brunswick and Mecklenburg:*
   A. S. HARRISON, JR., Lawrenceville, Va.

8. *Dinwiddie and Petersburg:*
   MORTON G. GOODE, Dinwiddie, Va.

9. *Amelia, Lunenburg, Nottoway, Powhatan and Prince Edward:*
   DR. W. DENNIS KENDIG, Kenbridge, Va.

10. *Halifax:*
    DR. J. D. HAGOOD, Clover, Va.

11. *Appomattox, Buckingham, Charlotte and Cumberland:*
    CHAS. T. MOSES, Appomattox, Va.

12. *Campbell and Lynchburg:*
    MOSBY G. PERROW, JR., Krise Building, Lynchburg, Va.

13. *Henry, Patrick, Pittsylvania, Danville and Martinsville:*
    ROBERT C. VADEN, Gretna, Va.
    *Vacant.

14. *Carroll, Floyd and Grayson:*
    SIDNEY FLOYD LANDRETH (R), Galax, Va.

15. *Smyth, Washington and Bristol:*
    GEORGE M. WARREN, Bristol, Va.

16. *Lee and Scott:*
    LLOYD M. ROBINETTE, Jonesville, Va.

17. *Dickenson and Wise:*
    M. M. LONG, St. Paul, Va.

*Election called for February 3, 1948.

Digitized by Google

18. *Buchanan, Russell and Tazewell:*
HARRY C. STUART, Elk Garden, Va.

19. *Bland, Giles, Pulaski and Wythe:*
DR. W. C. CAUDILL, Pearisburg, Va.

20. *Alleghany, Bath, Botetourt, Craig, Rockbridge, Buena Vista and Clifton Forge:*
J. C. CARPENTER, JR., Clifton Forge, Va.

21. *Franklin, Montgomery, Roanoke County and Radford:*
TED DALTON (R), Radford, Va.

22. *Arlington:*
CHARLES R. FENWICK, 6733 Lee Highway, Arlington, Va.

23. *Augusta, Highland and Staunton:*
CURRY CARTER, Staunton, Va.

24. *Page, Rappahannock, Rockingham, Warren and Harrisonburg:*
RAYMOND R. GUEST, Bayard, Va.

25. *Clarke, Frederick, Shenandoah and Winchester:*
HARRY F. BYRD, JR., Winchester, Va.

26. *Albemarle, Fluvanna, Greene, Madison and Charlottesville:*
JOHN S. BATTLE, Charlottesville, Va.

27. *Louisa, Orange, Spotsylvania, Stafford and Fredericksburg:*
BENJAMIN T. PITTS, Fredericksburg, Va.

28. *Culpeper, Fauquier and Loudoun:*
ROBERT Y. BUTTON, Culpeper, Va.

Digitized by Google

29. *Fairfax, Prince William and Alexandria:*
ANDREW W. CLARKE, 207 N. Fairfax Street, Alexandria, Va.

30. *King George, Lancaster, Northumberland, Richmond County and Westmoreland:*
ROBERT O. NORRIS, JR., Lively, Va.

31. *Caroline, Goochland, Hanover and King William:*
THOMAS H. BLANTON, Bowling Green, Va.

32. *Essex, Gloucester, King and Queen, Mathews, Middlesex and York:*
W. M. MINTER, Mathews, Va.

33. *Elizabeth City, Warwick, Hampton and Newport News:*
L. U. NOLAND, Newport News, Va.

34. *Charles City, Chesterfield, Henrico, James City, New Kent and city of Williamsburg:*
LLOYD C. BIRD, 303 S. 6th Street, Richmond, Va.

35. *Richmond City:*
CHARLES W. CROWDER, American Building, Richmond, Va.
JAMES E. GARDNER, 16 N. 7th Street, Richmond, Va.
FRANK S. RICHESON, Box 563, Richmond, Va.

36. *Roanoke City:*
EARL A. FITZPATRICK, Roanoke, Va.

Digitized by Google

THE SENATE

A list of the Senate, showing names of Senators, their postoffice, county or city in which they reside, telegraph and express office, and number of district they represent, arranged alphabetically.

No. of District	Name	Postoffice	County or City	Telegraph and Express Office
2	Baldwin, Robert F., Jr.	116 Brooke Avenue, Norfolk	Norfolk City	Norfolk.
26	Battle, John S.	Charlottesville	Charlottesville	Charlottesville.
34	Bird, Lloyd C.	R. F. D. 9, Richmond	Chesterfield	303 S. 6th St., Richmond.
31	Blanton, Thomas H.	Bowling Green	Caroline	Bowling Green.
2	Breeden, Edward L., Jr.	Bank of Commerce Bldg., Norfolk	Norfolk City	Bank of Commerce Bldg., Norfolk.
13				
28	Button, Robert Y.	Culpeper	Culpeper	Culpeper.
25	Byrd, Harry F., Jr.	Winchester	Winchester	Winchester.
20	Carpenter, J. C., Jr.	Clifton Forge	Clifton Forge	Clifton Forge.
23	Carter, Curry	Staunton	Staunton	Staunton.

Digitized by Google

THE SENATE—CONTINUED

No. of District	NAME	POSTOFFICE	COUNTY OR CITY	TELEGRAPH AND EXPRESS OFFICE
19	CAUDILL, DR. W. C.	Pearisburg	Giles	Pearisburg.
29	CLARKE, ANDREW W.	207 N. Fairfax St., Alexandria	Fairfax	207 N. Fairfax St., Alexandria.
35	CROWDER, CHARLES W.	American Building, Richmond	Richmond City	American Building, Richmond.
21	DALTON, TED	Radford	Radford	Radford.
22	FENWICK, CHARLES R.	6733 Lee Highway, Arlington	Arlington	Arlington.
36	FITZPATRICK, EARL A.	Roanoke	Roanoke City	Roanoke.
35	GARDNER, JAMES E.	16 N. 7th St., Richmond	Richmond City	Richmond.
8	GOODE, MORTON G.	Dinwiddie	Dinwiddie	Dinwiddie.
6	GRAY, GARLAND	Waverly	Sussex	Waverly.
24	GUEST, RAYMOND R.	Bayard	Warren	Bayard.
1	GUNTER, BEN T., JR.	Accomac	Accomack	Accomac.
10	HAGOOD, DR. J. D.	Clover	Halifax	Clover.

Digitized by Google

7	HARRISON, A. S., JR.	Lawrenceville	Brunswick	Lawrenceville.
3	HILLARD, MAJOR M.	Colony Theatre Bldg., Portsmouth.	Norfolk County	Colony Theatre Bldg., Portsmouth.
9	KENDIG, DR. W. DENNIS	Kenbridge	Lunenburg	Kenbridge.
14	LANDRETH, SIDNEY FLOYD	Galax	Grayson	Galax.
17	LONG, M. M.	St. Paul	Wise	St. Paul.
32	MINTER, W. M.	Mathews	Mathews	Mathews.
11	MOSES, CHARLES T.	Appomattox	Appomattox	Appomattox.
33	NOLAND, L. U.	Newport News	Newport News	Newport News.
30	NORRIS, ROBERT O., JR.	Lively	Lancaster	Lively.
12	PERROW, MOSBY G., JR.	Krise Bldg., Lynchburg	Lynchburg	Krise Bldg., Lynchburg.
27	PITTS, BENJAMIN T.	Fredericksburg	Fredericksburg	Fredericksburg.
35	RICHESON, FRANK S.	Box 563, Richmond	Richmond City	Box 563, Richmond
16	ROBINETTE, LLOYD M.	Jonesville	Lee	Jonesville. Ben Hur (Exp.)
5	STEPHENS, A. E. S.	Smithfield	Isle of Wight	Smithfield.
18	STUART, HARRY C.	Elk Garden	Russell	Blackford.
13	VADEN, ROBERT C.	Gretna	Pittsylvania	Gretna.
4	WAILES, I. PAUL	Amherst	Amherst	Amherst.
15	WARREN, GEORGE M.	Bristol	Bristol	Bristol.

Digitized by Google

OFFICERS OF THE SENATE

NAME	OFFICE	POSTOFFICE	COUNTY OR CITY
COLLINS, LEWIS PRESTON	Lieutenant Governor	Marion	Smyth.
NORRIS, ROBERT O., JR	President pro tem	Lively	Lancaster.
COMBS, E. R	Clerk	Lebanon	Russell.
JETER, JOHN R	Assistant Clerk	Richmond	Richmond City.
JETER, WILLIAM, III	Reading Clerk	Skipwith	Mecklenburg.
HUTCHESON, CURRY P	Journal Clerk	Newport	Giles.
GRAVES, CHARLES N	Minute Clerk	Stanley	Page.
GREGORY, T. W., SR	Sergeant at Arms	Boydton	Sussex.
WOOLFOLK, J. L	Doorkeeper	Louisa	Louisa.
GUERRANT, FORREST W., JR	Assistant Doorkeeper	Stuarts Draft	Augusta.
WALSH, JAMES J	Gallery Doorkeeper	Richmond	Richmond City.
SIMPSON, RUSSELL R	Assistant Gallery Doorkeeper	Long Island	Pittsylvania.
BIESEN, MISS CARRIE L	Engrossing Clerk	Richmond	Richmond City.
LUCAS, MRS. LOUISE O	Typist	Richmond	Richmond City.
MYERS, MORRIS D	Committee Clerk	Norfolk	Norfolk City.
SPENCER, THOMAS M., JR	Committee Clerk	South Boston	Halifax.
COUNTS, W. E	Committee Clerk	Clintwood	Dickenson.
COULBOURN, U. O., JR	Committee Clerk	Waverly	Sussex.
PARROTT, JAMES E	Committee Clerk	Ruckersville	Greene.
BAUERS, JOS	Committee Clerk	Norfolk	Richmond City.
CARRICO, E. C	Committee Clerk	Wise	Wise.
JOYNER, JAMES E	Joint Committee Clerk	Amherst	Amherst.

Digitized by Google

HARRIS, MRS. FRANCES	Proof Reader	Richmond	Richmond City.
JOHNSTON, MRS. ELIZABETH W.	Assistant Proof Reader	Richmond	Richmond City.
BUTLER, MILTON H.	Postmaster and Cloak Room Attendant	Richmond	Richmond City.
GREEN, MISS MARY VIRGINIA	Stenographer	Mathews	Mathews.
FLANARY, MISS ANN	Stenographer	St. Paul	Wise.
PAGE, MISS MILDRED	Stenographer	Norfolk	Norfolk City.
BRAWNER, MRS. IDA JANE	Stenographer	Richmond	Richmond City.
MCNEILL, MRS. KATHRYN P.	Stenographer	Richmond	Richmond City.
WEST, MRS. DALLAS D.	Stenographer	Richmond	Richmond City.
MOUNTCASTLE, MRS. FLORENCE W.	Stenographer	Richmond	Richmond City.
LAUSHEY, MRS. C. S., JR.	Stenographer	Richmond	Richmond City.
SMITH, MISS ALICE B.	Stenographer to Lieutenant Governor	Marion	Smyth.
WAGERS, MRS. RUSSELL	Information Clerk	Lexington	Appomattox.
VAUGHAN, HASKINS	Page	South Boston	Halifax.
HESS, JOHN ALLEN, III	Page	Tazewell	Tazewell.
QUILLEN, STEPHEN M.	Page	Lebanon	Russell.
HANCOCK, HAROLD O.	Page	Danville	South Boston.
COFFELT, RAY FARRELL	Page	Richmond	Richmond City.
REAVIS, J. LEE	Page	Galax	Grayson.
MATTHEWS, CLYDE	Page	Front Royal	Warren.
LOVING, JACK	Page	Richmond	Richmond City.

Digitized by Google

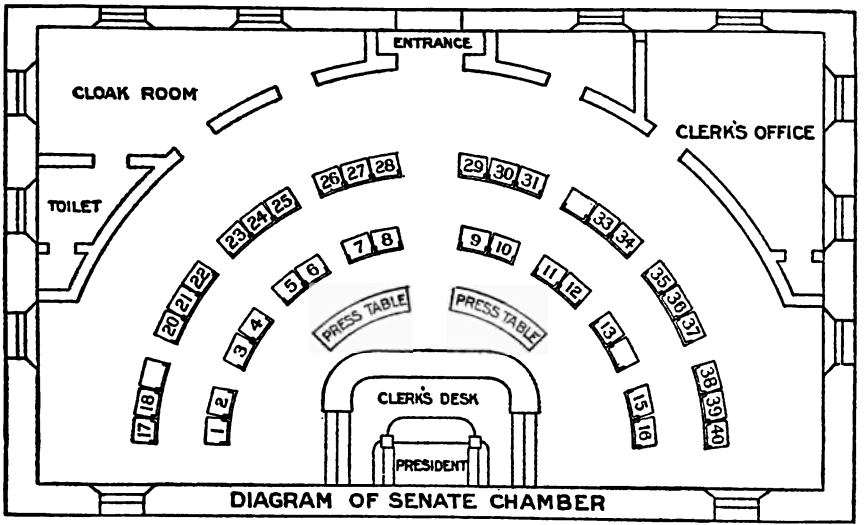

DIAGRAM OF SENATE CHAMBER

Digitized by Google

ALPHABETICAL LIST OF SENATORS, SHOWING NUMBER OF SEAT

LEWIS PRESTON COLLINS, Lieutenant Governor, President

BALDWIN, ROBERT F., JR.	21	GUNTER, BEN T., JR.	14
BATTLE, JOHN S.	30	HAGOOD, DR. J. D.	27
BIRD, LLOYD C.	25	HARRISON, A. S., JR.	7
BLANTON, THOMAS H.	31	HILLARD, MAJOR M.	22
BREEDEN, EDWARD L., JR.	20	KENDIG, DR. W. DENNIS.	11
Vacant	17	LANDRETH, SIDNEY FLOYD.	16
BUTTON, ROBERT Y.	36	LONG, M. M.	29
BYRD, HARRY F., JR.	39	MINTER, W. M.	6
CARPENTER, J. C., JR.	1	MOSES, CHARLES T.	13
CARTER, CURRY.	28	NOLAND, L. U.	35
CAUDILL, DR. W. C.	26	NORRIS, ROBERT O., JR.	32
CLARKE, ANDREW W.	3	PERROW, MOSBY G., JR.	5
CROWDER, CHARLES W.	23	PITTS, BENJAMIN T.	4
DALTON, TED.	15	RICHESON, FRANK S.	2
FENWICK, CHARLES R.	19	ROBINETTE, LLOYD M.	34
FITZPATRICK, EARL A.	38	STEPHENS, A. E. S.	12
GARDNER, JAMES E.	24	STUART, HARRY C.	33
GOODE, MORTON G.	9	VADEN, ROBERT C.	8
GRAY, GARLAND.	10	WAILES, I. PAUL.	18
GUEST, RAYMOND R.	40	WARREN, GEORGE M.	37

Digitized by Google

ALPHABETICAL LIST OF SENATORS SHOWING THEIR COMMITTEE ASSIGNMENTS

BALDWIN, ROBERT F., JR.
Roads and Internal Navigation; Enrolled Bills; Public Institutions and Education; County, City and Town Organization; Executive Expenditures.

BATTLE, JOHN S.
Finance, Chairman; Courts of Justice; Public Institution and Education; Privileges and Elections; Rules.

BIRD, L. C.
Printing, Chairman; Finance; Agriculture, Mining and Manufacturing; Nominations; Public Institutions and Education.

BLANTON, THOMAS H.
Nominations, Chairman; General Laws; Insurance and Banking; Privileges and Elections; Roads and Internal Navigation.

BREEDEN, EDWARD L., JR.
Executive Expenditures, Chairman; Finance; Courts of Justice; Insurance and Banking; Library.

BUTTON, ROBERT Y.
General Laws; Privileges and Elections; Moral, Social and Child Welfare; County, City and Town Organization; To Examine the Clerk's Office of the Senate; Library.

BYRD, H. F., JR.
Finance; Roads and Internal Navigation; General Laws; Nominations.

Digitized by Google

CARPENTER, JAMES C., JR.
To Examine Bonds of Public Officers, Chairman; Finance; Enrolled Bills; Moral, Social and Child Welfare.

CARTER, CURRY
Courts of Justice; Agriculture, Mining and Manufacturing; Joint Committee on Special, Private and Local Legislation; Public Institutions and Education.

CAUDILL, DR. W. C.
To Examine the Clerk's Office of the Senate, Chairman; Finance; Public Institutions and Education; To Examine the Treasurer's Office.

CLARKE, ANDREW W.
Finance; Courts of Justice; Insurance and Banking; Public Institutions and Education; Privileges and Elections.

CROWDER, CHARLES W.
To Examine Treasurer's Office, Chairman; Finance; Courts of Justice; Insurance and Banking; Public Institutions and Education; Printing; Enrolled Bills.

DALTON, TED
Courts of Justice; Agriculture, Mining and Manufacturing; Public Institutions and Education; To Examine Office of the Comptroller; To Examine Bonds of Public Officers.

FENWICK, CHARLES R.
Roads and Internal Navigation; Courts of Justice; Moral, Social and Child Welfare; County, City and Town Organization.

Digitized by Google

FITZPATRICK, EARL A.
Roads and Internal Navigation; Courts of Justice; Joint Committee on Special, Private and Local Legislation; Privileges and Elections; County, City and Town Organization.

GARDNER, JAMES E.
Public Institutions and Education; Moral, Social and Child Welfare; County, City and Town Organization; To Examine Bonds of Public Officers; To Examine the Office of Auditor of Public Accounts.

GOODE, MORTON G.
Insurance and Banking, Chairman; Finance; Public Institutions and Education; Privileges and Elections; Moral, Social and Child Welfare.

GRAY, GARLAND
Finance; General Laws; Interstate Cooperation; Insurance and Banking; Privileges and Elections.

GUEST, RAYMOND R.
Fish and Game; General Laws; Moral, Social and Child Welfare.

GUNTER, BENJAMIN T., JR.
Interstate Cooperation, Chairman; Fish and Game; Agriculture, Mining and Manufacturing; Courts of Justice; Insurance and Banking; Printing.

HAGOOD, DR. J. D.
Moral, Social and Child Welfare, Chairman; Finance; Fish and Game; Public Institutions and Education.

Digitized by Google

HARRISON, A. S., JR.
Roads and Internal Navigation; Courts of Justice; Public Institutions and Education; County, City and Town Organization.

HILLARD, MAJOR M.
Roads and Internal Navigation, Chairman; Fish and Game; General Laws; Agriculture, Mining and Manufacturing.

KENDIG, DR. W. DENNIS
Roads and Internal Navigation; General Laws; Public Institutions and Education; Moral, Social and Child Welfare.

LANDRETH, S. FLOYD
Finance; Courts of Justice; Enrolled Bills; Public Institutions and Education.

LONG, M. M.
Library, Chairman; Roads and Internal Navigation; Courts of Justice; Agriculture, Mining and Manufacturing; Nominations; Interstate Cooperation; Privileges and Elections; Insurance and Banking.

MINTER, W. MARVIN
Joint Committee on Special, Private and Local Legislation, Chairman; Roads and Internal Navigation; Courts of Justice; Fish and Game; County, City and Town Organization.

MOSES, CHARLES T.
Agriculture, Mining and Manufacturing, Chairman; Roads and Internal Navigation; Privileges and Elections; County, City and Town Organization; Printing.

Digitized by Google

NOLAND, L. U.
To Examine Office of Comptroller, Chairman; Finance; Fish and Game; General Laws; Enrolled Bills.

NORRIS, ROBERT O., JR.
Courts of Justice, Chairman; Finance; Rules; Fish and Game; Joint Committee on Special, Private and Local Legislation; Interstate Cooperation; Privileges and Elections.

PERROW, MOSBY G., JR.
County, City and Town Organization, Chairman; Finance; Enrolled Bills; Moral, Social and Child Welfare; To Examine Treasurer's Office.

PITTS, BENJAMIN T.
Roads and Internal Navigation; General Laws; Insurance and Banking; Public Institutions and Education; County, City and Town Organization.

RICHESON, FRANK S.
Fish and Game; General Laws; Insurance and Banking; To Examine the Clerk's Office of the Senate.

ROBINETTE, LLOYD M.
Public Institutions and Education, Chairman; Courts of Justice; Agriculture, Mining and Manufacturing; Interstate Cooperation; Moral, Social and Child Welfare; To Examine the Office of the Comptroller; To Examine the Office of Auditor of Public Accounts.

STEPHENS, A. E. S.
Enrolled Bills, Chairman; Finance; Fish and Game; General Laws; Insurance and Banking; Privileges and Elections.

Digitized by Google

STUART, HARRY C.
General Laws, Chairman; Finance; Roads and Internal Navigation; Agriculture, Mining and Manufacturing; Enrolled Bills.

VADEN, ROBERT C.
Privileges and Elections, Chairman; Finance; Roads and Internal Navigation; Nominations; Moral, Social and Child Welfare; County, City and Town Organization.

WAILES, I. PAUL
Fish and Game, Chairman; Finance; Roads and Internal Navigation; Agriculture, Mining and Manufacturing; Privileges and Elections; To Examine the Office of Auditor of Public Accounts.

WARREN, GEORGE M.
Roads and Internal Navigation; Courts of Justice; Joint Committee on Special, Private and Local Legislation; Agriculture, Mining and Manufacturing.

Digitized by Google

SENATE STANDING COMMITTEES

Finance:

Messrs. Battle, Norris, Vaden, Goode, Caudill, Stephens, Hagood, Stuart, Carpenter, Bird, L. C., Noland, Perrow, Breeden, Wailes, Crowder, Clarke, Gray, Byrd, H. F., Jr., Landreth.

Clerk, Thos. M. Spencer.

Meets in Old Senate Chamber, Tuesdays and Fridays at 10:00 A. M. (Second floor, south front, right side.)

Roads and Internal Navigation:

Messrs. Hillard, Vaden, Moses, Stuart, Wailes, Blanton, Pitts, Minter, Long, Baldwin, Warren, Fenwick, Fitzpatrick, Byrd, H. F., Jr., Harrison, Kendig.

Clerk, Jos. Baners.

Meets in Old Senate Chamber, Tuesdays and Thursdays at 4:30 P. M. (Second floor, south front, right side.)

Courts of Justice:

Messrs. Norris, Robinette, Battle, Crowder, Long, Breeden, Clarke, Minter, Gunter, Warren, Fitzpatrick, Fenwick, Carter, Harrison, Dalton, Landreth.

Clerk, W. E. Counts.

Meets in Room No. 4, Mondays at 10:30 P. M. Wednesdays and Fridays at 3:00 P. M. (Basement, west corridor, north side.)

Fish and Game:

Messrs. Wailes, Norris, Hillard, Stephens, Hagood, Minter, Gunter, Noland, Guest, Richeson.

Clerk, U. O. Coulbourn. Jr.

Meets in Room No. 4, Tuesdays and Thursdays at 2:30 P. M. (Basement, west corridor, north side.)

Digitized by Google

Insurance and Banking:

Messrs. Goode, Crowder, Stephens, Blanton, Long, Clarke, Pitts, Breeden, Gunter, Gray, Richeson.

Clerk, Jas. E. Parrott.

Meets in Room No. 3, Thursdays at 3:30 P. M. (Basement, west corridor, south side.)

Public Institutions and Education:

Messrs. Robinette, Battle, Goode, Caudill, Hagood, Pitts, Bird, L. C., Clarke, Crowder, Baldwin, Carter, Gardner, Harrison, Kendig, Dalton, Landreth.

Clerk, Morris D. Myers.

Meets in Room No. 3, Tuesdays at 3:30 P. M. and Thursdays at 10:00 A. M. (Basement, west corridor, south side.)

Privileges and Elections:

Messrs. Vaden, Moses, Goode, Battle, Norris, Wailes, Stephens, Long, Blanton, Button, Clarke, Gray, Fitzpatrick.

Clerk, E. C. Carrico.

Meets in Room No. 4, Wednesdays and Thursdays at 10:00 A. M. (Basement, west corridor, north side.)

Moral, Social and Child Welfare:

Messrs. Hagood, Vaden, Robinette, Goode, Carpenter, Perrow, Button, Fenwick, Gardner, Guest, Kendig.

Clerk, E. C. Carrico.

Meets in Room No. 2, Mondays and Wednesdays at 4:00 P. M. (Basement, west corridor, south side.)

Digitized by Google

County, City and Town Organization:

Messrs. Perrow, Vaden, Moses, Pitts, Minter, Button, Baldwin, Gardner, Fenwick, Fitzpatrick, Harrison.

Clerk, Jas. E. Parrott.

Meets in Room No. 5, Tuesdays and Thursdays at 3:00 P. M. (Basement, west corridor, north side.)

General Laws:

Messrs. Stuart, Hillard, Stephens, Blanton, Pitts, Button, Noland, Gray, Byrd, H. F., Jr., Guest, Kendig, Richeson.

Clerk, U. O. Coulbourn, Jr.

Meets in Room No. 3, Mondays at 3:30 P. M. and Wednesdays at 10:00 A. M. (Basement, west corridor, south side.)

Agriculture, Mining and Manufacturing:

Messrs. Moses, Hillard, Robinette, Stuart, Wailes, Gunter, Bird, L. C., Long, Warren, Carter, Dalton.

Clerk, Jas. E. Joyner.

Meets in Room No. 2, Fridays at 4:00 P. M. (Basement, west corridor, south side.)

Joint Committee on Special, Private and Local Legislation:

Messrs. Minter, Norris, Carter, Warren, Fitzpatrick.

Clerk, James E. Joyner.

Meets in Room No. 104, daily at 9:00 A. M.

Digitized by Google

The following committees meet on the call of the Chairman in the Office of the Engrossing Clerk, Senate floor.

Nominations:
Messrs. Blanton, Long, Vaden, Bird, L. C., Byrd, H. F., Jr.
Clerk, Joseph Bauers.

Interstate Cooperation:
Messrs. Gunter, Norris, Robinette, Long, Gray.

Enrolled Bills:
Messrs. Stephens, Stuart, Carpenter, Noland, Perrow, Crowder, Baldwin, Landreth.

To Examine the Clerk's Office of the Senate:
Messrs. Caudill, Button, Richeson.

Rules:
President of the Senate, President Pro-tem of the Senate, Mr. Battle.

Executive Expenditures:
Messrs. Breeden, Baldwin.

Library:
Messrs. Long, Breeden, Button.

To Examine the Office of the Comptroller:
Messrs. Noland, Robinette, Dalton.

To Examine the Office of Auditor of Public Accounts:
Messrs. Wailes, Robinette, Gardner.

To Examine Treasurer's Office:
Messrs. Crowder, Caudill, Perrow.

To Examine Bonds of Public Officers:
Messrs. Carpenter, Gardner, Dalton.

Printing:
Messrs. Bird, L. C., Moses, Crowder, Gunter.

Digitized by Google

RULES OF THE SENATE

(See Index, Page 57)

I.

Attendance and Adjournment.

1. No member shall absent himself from the service of the Senate without leave, unless he is sick or unable to attend.

2. A majority of Senators shall be necessary to proceed to business; five may adjourn, and nine may order a call of the Senate, send for absentees, and make any order for their censure or discharge. On a call of the Senate, the doors shall not be closed against any Senator until his name shall have been once enrolled.

3. The President shall take the chair every day precisely at the hour to which the Senate shall have adjourned on the preceding day; shall immediately call the Senate to order, and a quorum being present, shall cause the Journal of the preceding day to be read. Any mistakes in the entries shall, upon motion, then be corrected, and being found correct, shall be signed by the President and the Clerk, and upon the last day of the session, the Journal for that day being examined and found correct, shall be signed by the President and the Clerk, and the said Journals, when so signed, shall be the authentic record of the proceedings of the Senate.

When the Senate adjourns each day every Senator shall keep his seat until the President leaves his seat.

Digitized by Google

II.

The President.

4. If any question be put upon a bill or resolution the President shall state the same without argument.

5. The President may call any Senator to the chair, who shall exercise its functions for the time; but no Senator, by virtue of such appointment, shall preside for a longer period than six days.

6. The Senate shall elect eight pages whose term shall be four years, and who shall receive for their services five dollars per day each during the session of the General Assembly.

III.

The Clerk.

Sec. 7. A Clerk shall be elected by the Senate for a term of four years, and shall be deemed to continue in office until another is chosen. In the event of a vacancy in the office of Clerk during the recess of the General Assembly, a successor to fill said vacancy shall be elected by the members of the Committee on Privileges and Elections, at a meeting to be called by the chairman of the committee, or in his absence by the senior ranking member of the committee able and willing to act in calling same. At least five days written notice by mail of the time, place, and purpose, of the meeting shall be given to all members of said committee, and the person receiving a majority of the votes of the members of said committee present and voting shall be deemed to be elected to fill said vacancy. The Clerk shall not suffer any records or papers to be taken from the table or out of his custody by any person except a chairman of a com-

Digitized by Google

mittee; but he may deliver any bills or papers, directed to be printed to the Division of Purchase and Printing, Printing Section, or to any Senator, on taking his receipt for the same. The oath of office shall be administered to the Clerk by the President or President pro tem of the Senate or by the judge or clerk of any court of record of the Commonwealth.

8. The Journal of the Senate shall be daily drawn up by the Clerk, and shall be read the succeeding day; it shall be printed under the supervision of the Clerk and delivered to the Senators without delay.

9. The Clerk of the Senate shall appoint an assistant clerk, a minute clerk, a journal clerk, a reading clerk and seven committee clerks, and a joint committee clerk; and an engrossing clerk and an expert typist to receive the same compensation as the desk clerks. The clerks so appointed shall remain in the Capitol during the sessions of the Senate and the committee clerks and joint committee clerk shall be assigned by the Clerk for duty with the various standing committees, and shall perform any duties that the other committees may require, when not employed by their respective committees; and the Clerk of the Senate may also require said clerks, when not employed by the standing committees, to assist in engrossing bills or aid him in the Senate chamber when necessary. The said clerks shall be removable by the Clerk of the Senate or by the committee of which they are clerks. The Clerk of the Senate shall appoint a full time janitor, and during the session of the General Assembly such other janitors for the chamber and committee rooms as may be necessary, who shall receive for their services five dollars per day each, said janitors shall be subject to

Digitized by Google

removal by the Clerk. The Clerk shall also appoint a postmaster, who shall have charge of the cloak room, a proof reader, and an assistant proof reader. There shall be appointed nine stenographers, eight of whom shall be appointed by the Clerk of the Senate and one to be appointed by the Lieutenant Governor, to be assigned to him, each of whom shall receive the same compensation as a committee clerk.

When the Senate is not in session the Clerk shall have supervision over the pages of the Senate.

10. Before reading each bill, the Clerk shall announce whether it is the first, second or third time of the reading of the bill.

11. The clerks of the Senate and House of Delegates may interchange messages at such time between the hour of adjournment and that of meeting on the following day, so that the said messages may be read immediately after the orders of the day.

12. The Clerk of the Senate shall, at each session, have printed and bound with the manual and rules, etc., the Constitution of Virginia for the use of the Senators.

IV.

Sergeant at Arms and Doorkeeper.

13. No Senator shall be taken into custody by the Sergeant at Arms on any complaint or breach of privileges until the matter is examined by the Committee of Privileges and Elections and reported to the Senate, unless by order of the Senate.

14. It shall be the duty of the doorkeeper of the Senate to preserve, in chronological or numerical

Digitized by Google

order, a copy of every printed document distributed in the Senate, and to deliver the same at the close of the session to the Clerk of the Senate, whose duty it shall be to have them bound and preserved in his office for the use of this body.

15. The doorkeeper, or his assistant, shall be constantly at his post during the sessions of the Senate and shall permit no one to enter or remain upon the floor of the Senate during the session thereof, except members of the General Assembly, former members thereof, members and former members of Congress, State officers, former State officers and judges, officers and employees of the General Assembly, members of the late Constitutional Convention, reporters of the proceedings of the Senate, members of the families of the Senators and such persons as the presiding officer may deem worthy of such distinction and invite to a seat near the chair; provided, that the privilege hereby extended shall in no case be used to influence legislation in any manner whatsoever.

Whenever any person desires an interview with a Senator or the Clerk of the Senate, the doorkeeper shall send a messenger to him.

The doorkeeper, or his assistant, shall show all persons, not entitled to seats on the floor, to the gallery.

All seats on the north side of the door of the gallery, and the northern half of the seats on the south side of such doors shall be set aside and used for whites, and the remainder by colored people. The front rows of the portions assigned to whites shall be especially reserved for ladies and their escorts, and the doorkeeper, or his assistant and gallery doorkeeper, shall see that this is done.

The Sergeant at Arms, doorkeeper, assistant doorkeeper and gallery doorkeeper, shall hereafter

Digitized by Google

be elected by the Senate for a term of four years. The gallery doorkeeper shall receive for his services ten dollars per day.

V.

Committees.

16. At the commencement of each session the following committees shall be elected:

I. A Committee on Privileges and Elections, to consist of not less than seven nor more than twelve Senators.

II. A Committee for Courts of Justice, to consist of not less than seven nor more than sixteen Senators.

III. A Committee on General Laws, to consist of not less than seven nor more than thirteen Senators.

IV. A Committee on Roads and Internal Navigation, to consist of not less than seven nor more than seventeen Senators.

V. A Committee on Finance, to consist of not less than seven nor more than nineteen Senators, at least one member of which shall be a member of the minority party of the Senate.

VI. A Committee on Public Institutions and Education, to consist of not less than seven nor more than sixteen Senators.

VII. A Committee on County, City and Town Organizations, to consist of not less than seven nor more than eleven Senators.

VIII. A Committee on Agriculture, Mining and Manufacturing, to consist of not less than seven nor more than eleven Senators.

IX. A Committee on Fish and Game, to consist of not less than seven nor more than eleven Senator.

X. A Committee on Enrolled Bills, to consist of not less than seven nor more than eleven Senators.

Digitized by Google

XI. A Committee on Insurance and Banking, to consist of not less than seven nor more than eleven Senators.

XII. A Committee on Executive Nominations, to consist of five Senators, to which shall be referred all nominations made by the Governor, which are subject to confirmation by the Senate, and which Committee on Executive Nominations shall also act as a committee on the part of the Senate of the standing committee to consider nominations requiring the confirmation of the General Assembly.

XIII. A Committee on Moral, Social and Child Welfare, to consist of eleven Senators.

XIV. There shall also be appointed a committee on Interstate Cooperation, to consist of five Senators.

The following committees shall consist of three Senators, viz.:

To Examine the Office of the Clerk of the Senate.

On Rules.

On the Library (four members).

On Executive Expenditures.

To Examine the Office of Register of the Land Office.

To Examine the Bonds of Public Officers.

On the Public Printing.

To Examine the Office of the Auditor of Public Accounts.

To Examine the Office of the Comptroller.

To Examine the Office of the State Treasurer.

There shall also be appointed by the Senate five members to serve upon the joint standing Committee on Special, Private and Local Legislation, and two members to serve upon the joint standing Auditing Committee.

Digitized by Google

17. Regular standing committees of the Senate and its members upon the joint standing committees shall be elected by the Senate, unless the Senate direct otherwise, and the senator first named shall be the chairman, unless the committee direct otherwise. The majority of any committee shall constitute a quorum.

18. The several committees shall, in all cases, report whether other cases comprised within the principal of the matter referred may arise; and if a bill be ordered, it shall provide for all such cases, and upon any matter referred, the committee shall have power to report by bill.

19. Select committee shall consist of not less than three nor more than nine Senators, unless the Senate direct otherwise.

20. The Committee on Privileges and Elections shall examine the oaths taken by each Senator and the certificate of election furnished by the proper officer, and report thereon to the Senate.

The Committee on Privileges and Elections shall report in all cases of privileges or contested elections the principles and reasons on which their resolutions are founded.

21. The Committee on Courts of Justice shall take into consideration such petitions and matters or things touching wrongs and remedies and judicial proceedings concerning the same as shall be presented or may come in question and be referred to them by the Senate, and report thereon, together with such propositions relative thereto as to them shall seem expedient.

22. To the Committee on General Laws shall be referred all resolutions and bills concerning the militia, private claims, propositions and grievances, and other matters of a general nature not properly referable to any other standing committee.

Digitized by Google

23. The Committee on Roads and Internal Navigation shall take into consideration all such petitions and matters or things relating to highways, public roads, railways, canals and waterways as shall be presented or may come in question and be referred to them by the Senate, and report thereon, together with such propositions relative thereto as to them shall seem expedient.

24. The Committee on Finance shall, at each session, examine into the indebtedness of the Commonwealth, the revenues and expenditures of the preceding year, and prepare an estimate of the expense of the succeeding year, and make such report thereon as they may deem proper, and shall also examine into the state and manner of administration of the literary fund, and make such report thereon as they may deem proper.

25. To the Committee on Public Institutions and Education shall be referred all bills and resolutions concerning education, the penitentiary, lunatic asylums, the institution for the deaf, dumb and blind, the armory and other public property at the seat of government. And it shall be the duty of the said committee to examine at each session into the condition of the penitentiary, and make such report thereon as they may deem proper. Neither said committee nor a subcommittee thereof shall visit any public institution outside the city of Richmond without leave of the Senate first authorized and obtained.

26. To the Committee on County, City and Town Organizations shall be referred all bills, resolutions and petitions concerning the formation of any new county, or the organization of any city or town.

27. To the Committee on Agriculture, Mining and Manufacturing, shall be referred all bills,

Digitized by Google

resolutions and petitions concerning agriculture, manufacturing and mining, commerce and the mechanic arts, and also all matters relating to the Department of Labor.

28. To the Committee on Fish and Game shall be referred all bills, resolutions and petitions concerning the oyster industry of the State, surveys of the public waters of the State affecting said industry, and all matters relating to fish and game.

29. To the Committee on Insurance and Banking shall be referred all bills, resolutions and petitions concerning insurance and banking.

29½. To the Committee on Moral, Social and Child Welfare shall be referred all bills, resolutions and petitions concerning prohibition, alcoholic liquors, ardent spirits, wine, beer, cider and all mixtures thereof, gambling and commercial vice, and children.

30. The Committee to Examine the Clerk's Office shall see that all papers belonging thereto are properly filed, labeled and put away in the presses, and that the books belonging to the office are chronologically arranged, and shall make an annual report thereof to the Senate.

31. The President of the Senate, the President pro tempore of the Senate and the chairman of the Committee for Courts of Justice shall constitute a standing Committee on Rules, to whom all resolutions amending or altering the rules of the Senate shall be referred and said committee shall report such amendments to said rules as in their judgment are necessary and proper.

Digitized by Google

VI.

Order of Business.

32. After reading the Journal, one hour, to be called the "morning hour", shall be devoted as follows:

I. To dispose of communications from the House of Delegates and the Executive.

II. To receive reports from standing committees (for which purpose they shall be called by the clerk).

III. To receive reports from select committees.

IV. To receive resolutions, petitions and bills, on leave.

33. At the expiration of the morning hour the Senate shall proceed to the consideration of the calendar, as follows:

I. The unfinished business of the preceding day.

II. Bills and resolutions in the order in which they stand on the calendar.

34. When a bill or resolution of the House of Delegates is passed or rejected by the Senate, it shall remain under the control of the Senate for the space of two days, and the fact of the passage or rejection, with the bill or resolution, shall then be communicated to the House of Delegates, unless otherwise ordered.

35. All bills or other business originating in the Senate shall be dispatched in the order in which they are introduced, and all bills and resolutions sent from the House of Delegates shall be dispatched in the order in which they are sent, unless in either case the Senate direct otherwise.

36. No law shall be enacted except by bill. Every bill, upon its introduction, shall be referred to the appropriate committee. No bill

Digitized by Google

shall be introduced containing more than three patrons, and the Clerk shall not refer to a committee any bill containing more than three patrons, and no bill shall become a law until it has been:

First. Referred to a committee of the Senate, considered by such committee in session, and reported;

Second. Printed by the house in which it originated prior to its passage;

Third. Read by title on three different calendar days in each house; and,

Fourth. A yea and nay vote has been taken in each house upon its final passage, the names of the members voting for and against entered on the Journal, and a majority of those voting, which shall include at least two-fifths of the members elected to each house, has been recorded in the affirmative.

And only in the manner required in subdivision four of this section shall an amendment to a bill by the House of Delegates be concurred in by the Senate, or a conference report be adopted by the Senate, or a committee discharged from the consideration of a bill for the Senate to consider the same as if reported; provided, that the printing and reading, or either, required in subdivisions two and three of this section, may be dispensed with in a bill to codify the laws of the State, and in any case of emergency by a vote of four-fifths of the members voting, taken by the yeas and nays, the names of the members voting for and against entered on the Journal; and provided further, that no bill which creates or establishes a new office or which creates, continues or revives a debt or charge, or makes, continues or revives any appropriation of public or trust money, or property, or releases, discharges or

Digitized by Google

commutes any claim or demand of the State, or which imposes, continues or revives a tax, shall be passed except by the affirmative vote of a majority of all the members elected to the Senate, the vote to be by the yeas and nays, and the names of the members voting for and against entered on the Journal. Every law imposing, continuing or reviving a tax shall specifically state such tax, and no law shall be construed as so stating such tax where it requires a reference to any other law or any other tax. The presiding officer of the Senate shall, in the presence of the Senate, in open session, sign every bill that has been passed by both houses and duly enrolled. Immediately before this is done, all other business being suspended, the title of the bill shall be publicly read. The fact of signing shall be entered on the Journal. Before referring to a committee, any special, private or local bill shall be referred to and considered by the joint standing Committee on Special, Private and Local Legislation, and returned to the Senate with a statement in writing whether the object of the bill can be accomplished under general law or by court proceeding; whereupon the bill, with the accompanying statement, shall be referred to the appropriate committee of the Senate, and shall take the course provided by section fifty of the Constitution of Virginia. The joint committee may be discharged from the consideration of a bill by the Senate, when said bill originated in the Senate, in the manner provided in section fifty of the Constitution of Virginia for the discharge of other committees.

37. Bills and resolutions originating in the House of Delegates, and not requiring immediate action shall be read by title the first time when received

Digitized by Google

and referred to their appropriate committee, unless the Senate direct otherwise.

38. No bill reported from a committee of the Senate shall be recommitted or amended until it has been twice read by title, nor shall any Senate bill be amended after its third reading, except by the unanimous consent of the Senate. Provided, House bills may be recommitted or amended at any time before their final passage, but a bill which has been recommitted to a committee, when reported by committee, shall be restored on the calendar to the status which it had before it was recommitted.

39. Joint resolutions originating in the Senate shall lie on the table one day at least, unless otherwise ordered.

40. The yeas and nays on any question shall, at the desire of one-fifth of those present, be entered on the Journal. After the yeas and nays shall have been taken, and before they are counted or entered on the Journal, any Senator shall have the right to correct any mistake committed in enrolling his name.

41. Upon the determination of a question, any Senator may enter his protest upon the Journal, with the consent of one-third of the Senators present; and on the question, "Shall the protest be entered on the Journal?" no privileged motion shall be in order except to adjourn.

42. Whenever the Senate proceeds to consider any nominations of the Governor, which are subject to the choice or ratification of the Senate, the same shall be considered in executive session, with closed doors, and the proceedings thereon shall be in secret, unless the injunction of secrecy be removed by a vote of the Senate.

43. A motion to take from the table shall not be in order unless the bill, resolution or other matter

Digitized by Google

proposed to be taken up would be appropriate for consideration under the order of business then in hand, as prescribed by rules thirty-two and thirty-three.

VII.

Order and Decorum.

44. While the President is reporting or putting any question, or the Clerk is reporting a bill or calling the roll, or a Senator is addressing the chair, strict order shall be observed. No Senator or other person shall give audible expression to his or her approval or disapproval of any proceeding before the Senate.

45. If words be spoken in debate that give offense, exception thereto shall be taken the same day, and be stated in writing; and in such case, if the words be decided by the President, or by the Senate, upon an appeal, to be offensive, and they be not explained or retracted by the Senator who uttered them, he shall be subject to such action as the Senate may deem necessary.

VIII.

Ascertaining the Question.

46. A motion for a second reading, and a motion for committing the bill, may be submitted at the same time; but the question upon these motions shall be put separately if required by any Senator.

47. Any Senator may call for a division of the question, which shall be divided if it comprehend propositions so distinct in substance that, one being taken away, a substantive proposition

Digitized by Google

shall remain for the decision of the Senate; and a motion to strike out, being lost, shall preclude neither amendment nor a motion to insert, nor a motion to strike out and insert.

48. When a question is pending, no motion shall be received but to adjourn, to pass by, for the pending question, for the previous question, to lie on the table, to postpone indefinitely, to adjourn the question to a different day, to commit or amend; which several motions shall have precedence in the order in which they are arranged.

IX.

The Pending and Previous Question.

49. Upon a motion for the pending question, seconded by a majority of the Senators present, indicated by a rising or by a recorded vote, the President shall immediately put the pending question; and all incidental questions of order arising after a motion for the pending question is made, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

50. Upon a motion for the previous question, seconded by a majority of the Senators present, indicated by a rising or by a recorded vote, the President shall immediately put the question, first upon amendments in the order prescribed in the rules, and then upon the main question. If the previous question be not ordered, debate may continue as if the motion had not been made.

X.

Taking the Vote.

51. Every Senator present, when any question is put or vote taken, shall vote or be counted as vot-

Digitized by Google

ing on one side or the other, except in case of pairs, as hereinafter provided for; but no Senator shall vote on a question in the event he is immediately or personally interested. Pairs upon any question pending may be made and entered upon the Journal, and in such cases shall be announced immediately upon completion of the roll call, and before the announcement of its result. Pairs may be general or special. General pairs shall extend to and include all motions, amendments or other proceedings in aid of or against the question pending, and which is the subject of the pairs. Special pairs shall depend in their scope upon the agreement between the Senators making the same, but in the absence of a specific agreement, the presumption shall be conclusive that the pairs are general. The Senator announcing a pair shall be counted as present for the purpose of establishing a quorum.

52. Every question shall be first put in the affirmative, and then in the negative, and the President shall declare whether the yeas or nays have it; which declaration shall stand as the judgment of the Senate, unless a Senator call for a division, in which event the President shall divide the Senate.

53. When the yeas and nays are ordered, or a call of the Senate is directed, the names of the Senators shall be called in alphabetical order.

54. No Senator shall be allowed to vote unless he be present within the chamber at the time the Senate is being divided, or before a determination of the question upon a call of the roll, and when a vote is being taken by the electrical voting machine the occupant of the chair, being also a Senator, may request the Sergeant at Arms, or another Senator to press the button on his desk so as to record his vote as indicated.

Digitized by Google

XI.

Debate.

55. When any member is about to speak in debate or deliver any matter to the Senate, he shall rise from his seat, and without advancing, with due respect, address *"Mr. President"*, confining himself strictly to the point in debate, and avoiding all disrespectful language.

56. No member shall speak more than twice on the same subject, without leave of the Senate; nor more than once until every member choosing to speak shall have spoken.

57. No question shall be debated until it has been propounded by the President, and then the mover shall have a right to explain his views in preference to any Senator.

58. When the President is putting a question, any Senator who has not spoken before to the matter may speak to the question before the negative is put.

59. During any debate any Senator, though he has spoken to the matter, may rise and speak to the orders of the Senate if they be transgressed, in case the President do not; but if the President stands up at any time, he is first to be heard, and while he is up Senators must keep their seats.

60. No Senator shall be allowed to be interrupted while speaking, except on points of order, to correct erroneous statements or to answer any questions that may be propounded by the Senator speaking.

61. Motions to adjourn; lay on the table; for the pending question; for the previous question; to suspend the rules; to take from the table; to take up orders of the day; to close debate; to limit debate; to extend limit of debate; to read

Digitized by Google

papers; to reconsider questions not debatable, shall not be debated; but upon a motion to suspend a rule, or to take from the table, to lay on the table, or to take up orders of the day, the mover shall be allowed five minutes to state the reasons for his motion, and one member opposed to the motion shall be allowed a like time to object. And when a question not debatable is before the Senate, all incidental questions arising after it is stated shall be decided and settled, whether on appeal or otherwise, without debate; and the same rule shall apply to all incidental questions arising after any question is put to the house.

XII.

Reconsideration.

62. A question being once determined must stand as the judgment of the Senate, and cannot during the same session be drawn again into debate. No motion to reconsider a question which has been decided, shall be entertained, unless it be made by a Senator voting with the prevailing side, nor unless made on the same day on which the vote was taken or within the two next days of actual session of the Senate thereafter; provided, however, that when any question is decided in the negative simply for the want of a majority of the whole Senate, any Senator who was absent from the city of Richmond or detained from his seat by sickness at the time of the vote sought to be reconsidered may move its reconsideration.

Digitized by Google

XIII.

Petitions.

63. No petition of a private nature, having been once rejected, shall be acted on a second time, unless it be supported by new evidence; nor shall any such petition, after a third disallowance, be again acted on. The several clerks of committees shall keep alphabetical lists of all such petitions, specifying the session at which they were presented and the determination of the Senate thereon, and shall deliver the original petition to the Clerk of the Senate, to be preserved in his office.

64. No petition shall be received claiming a sum of money or praying the settlement of unliquidated accounts, unless it be accompanied with the certificate of disallowance from the executive or auditor containing the reason why it was rejected.

65. When any such petition, or bill founded on one, is rejected, such petition shall not be withdrawn; but the petitioner, or Senator presenting his petition, or any Senator from the county or corporation in which the petitioner resides, may, without leave, withdraw any document filed therewith; and a list of all documents so withdrawn shall be preserved by the Clerk. All petitions not finally acted on may, with the accompanying documents, be in like manner withdrawn after the expiration of the session at which they were presented.

66. No petition shall be read in the Senate unless particularly requested by some Senator, but every Senator presenting one shall announce the name of the petitioner, nature of the application, and whether, in his opinion, a similar application

Digitized by Google

had been before made by said petitioner. He shall also endorse on the back of the petition his own name as a pledge that it is drawn in respectful language; whereupon it shall be delivered to the Clerk, by whom it shall be laid before the proper committee.

XIV.

67. Any rules of the Senate may, except where otherwise provided by the Constitution of the State of Virginia, be suspended by a vote of two-thirds of the members elected.

XV.

Construction of Rules.

68. In the construction of the foregoing rules, reference shall first be had to Jefferson's Manual and the Digest of the Rules of the Congress of the United States.

XVI.

69. All committee meetings shall be held in public and a recorded vote of members upon each measure shall be taken and the number voting for or against reported on the bill; provided, however, that executive sessions may be held at the discretion of the committee upon a recorded vote.

ORDER OF BUSINESS OF THE SENATE

1. Quorum.

A majority of Senators shall be necessary to proceed to business; five may adjourn, and nine

Digitized by Google

may order a call of the Senate, send for absentees, and make any order for their censure or discharge. On a call of the Senate, the doors shall not be closed against any Senator until his name shall have been once enrolled. (Rule 2.)

2. Reading the Journal.

The President shall take the chair every day precisely at the hour to which the Senate shall have adjourned on the preceding day; shall immediately call the Senate to order, and a quorum being present, shall cause the Journal of the preceding day to be read. Any mistakes in the entries shall, upon motion, then be corrected, and being found correct, shall be signed by the President and the Clerk, and upon the last day of the session, the Journal for that day being examined and found correct, shall be signed by the President and the Clerk, and the said Journals, when so signed, shall be the authentic record of the proceedings of the Senate. (Rule 3.)

3. The Morning Hour.

After reading the Journal, one hour, to be called the morning hour, shall be devoted as follows:

I. To dispose of communications from the House of Delegates and the Executive.

II. To receive reports from standing committees (for which purpose they shall be called by the Clerk). (Rule 32.)

Digitized by Google

Reports by Committees.

Privileges and Elections.
Courts of Justice.
Finance.
General Laws.
Roads and Internal Navigation.
Public Institutions and Education.
County, City and Town Organization.
Agriculture, Mining and Manufacturing.
Fish and Game.
Enrolled Bills.
Insurance and Banking.
Moral, Social and Child Welfare.
Joint Standing Committee on Special, Private and Local Legislation.
Executive Nominations.
To Examine the Office of the Clerk of the Senate.
On Rules.
On the Library.
On Executive Expenditures.
To Examine the Bonds of Public Officers.
On the Public Printing.
To Examine the Office of the Auditor of Public Accounts.
To Examine the Office of the State Treasurer.

III. To receive reports from select committees.

IV. To receive resolutions, petitions and bills, on leave. (Rule 32.)

4. After the Morning Hour.

At the expiration of the morning hour the Senate shall proceed to the consideration of the calendar as follows:

I. The unfinished business of the preceding day.

II. Bills and resolutions in the order in which they stand on the calendar. (Rule 33.)

Digitized by Google

ENACTMENT OF LAWS

1. No Law shall be enacted except by bill.
(Rule 36; Const., sec. 50.)

2. Reference to committee upon introduction; printing; reading; yea and nay vote.

Every bill, upon its introduction, shall be referred to the appropriate committee, and no bill shall become a law until it has been:

First. Referred to a committee of the Senate, considered by such committee in session, and reported;

Second. Printed by the house in which it originated prior to its passage;

Third. Read by title on three different calendar days in each house; and,

Fourth. A yea and nay vote has been taken in each house upon its final passage, the names of the members voting for and against entered on the Journal, and a majority of those voting, which shall include at least two-fifths of the members elected to each house, has been recorded in the affirmative.

And only in the manner required in subdivision four of this section shall an amendment to a bill by the House of Delegates be concurred in by the Senate, or a conference report be adopted by the Senate, or a committee discharged from the consideration of a bill for the Senate to consider the same as if reported; provided, that the printing and reading, or either, required in subdivisions two and three of this section, may be dispensed with in a bill to codify the laws of the State, and in any case of emergency, by a vote of four-fifths of the members voting, taken by the yeas and nays, the names of the members voting for and against entered on

Digitized by Google

the Journal; and provided, further, that no bill which creates or establishes a new office or which creates, continues or revives a debt or charge, or makes, continues or revives any appropriation of public or trust money, or property, or releases, discharges or commutes any claim or demand of the State, or which imposes, continues or revives a tax, shall be passed except by the affirmative vote of a majority of all the members elected to the Senate, the vote to be by the yeas and nays, and the names of the members voting for and against entered on the Journal. Every law imposing, continuing or reviving a tax shall specifically state such tax, and no law shall be construed as so stating such tax where it requires a reference to any other law or any other tax. (Rule 36, Const., sec. 50.)

3. Special, private or local bills.

Before reference to a committee, any special, private or local bill shall be referred to and considered by the joint Standing Committee on Special, Private and Local Legislation and returned to the Senate with a statement in writing whether the object of the bill can be accomplished under general law or by court proceeding; whereupon the bill, with the accompanying statement, shall be referred to the appropriate committee of the Senate, and shall take the course provided by section fifty of the Constitution of Virginia. The joint committee may be discharged from the consideration of a bill by the Senate, when said bill originated in the Senate, in the manner provided in section fifty of the Constitution of Virginia for the discharge of other committees. (Rule 36; Const., sec. 50.)

Digitized by Google

4. The signing of bills by the presiding officer.

The presiding officer of the Senate shall, in the presence of the Senate, in open session, sign every bill that has been passed by both houses and duly enrolled. Immediately before this is done, all other business being suspended, the title of the bill shall be publicly read. The fact of signing shall be entered on the Journal. (Rule 36; Const., sec. 50.)

VOTES REQUIRED TO PASS VARIOUS BILLS

1. (a) Ordinary bills;
   (b) To concur in house amendments;
   (c) To adopt conference reports;
   (d) To discharge committees or recommit measures;
   A majority of the members voting—not less than..... 16

2. To dispense with printing and reading, or either; and Emergency Clauses;
   Four-fifths of members voting—not less than..... 16
   To pass emergency measures;
   Four-fifths of members voting—not less than..... 16

3. Bills:
   (a) Creating new offices;
   (b) Creating, continuing or reviving a debt or charge, or making, continuing, or reviving any appropriation of public or trust money, or property, or releasing, discharging, or commuting any claim or demand of the State;

Digitized by Google

(c) Imposing, continuing or reviving a tax; A majority of the members elected—not less than..... 21

4. (a) To suspend rules and take up a measure out of order;

(b) To amend charter of a city or town; Two-thirds of members elected—not less than..... 27

5. Governor's recommendation for amending bill: Majority of members present.

Veto, to override:

Two-thirds of members present, which shall include majority of members elected.

Digitized by Google

INDEX TO RULES OF THE SENATE

	Rule
Absentees	
Attendance required, unless leave of absence granted	1
Agriculture, Mining and Manufacturing	
Appointment and number of committee on	16
References to	27
Ascertaining the Question	
Division of question	47
Pending question; no motion in order, except to adjourn, pass by and indefinitely postpone	48
Second reading and committing bill, made at same time but put separately	46
Auditing Committee	
Appointed, two members (by President, Code, Sec. 311)	16
Auditor of Public Accounts, to Examine Office of	
Appointment and number of committee on	16
Chairman, first named	17
Bills	
Amendments and readings	36
Conference reports, how adopted by Senate	36
Committees, how discharged	36
House bills, when passed or rejected by Senate, when communicated	34
House bills, how dispatched	35
Amendments by House, how concurred in	36
House bills, how and when recommitted	38
Introduction of	32
Referred to committee	36
Printed	36

Digitized by Google

Bills—Continued **Rule**
Patrons, not more than three..... 36
Requirements of passage of..... 36
First: Referred to committee and reported.
Second: Printed by house in which originated.
Third: Read by title on three different calendar days.
Fourth: Yea and nay vote taken in each house on passage.
Reading and printing discharged, vote required..... 36
Vote required to pass various bills: See end of Rules.
Signed by President and Speaker of House of Delegates..... 36
Senate, how dispatched..... 35
Senate, how and when recommitted..... 38
Recommitted, reported to hold standing on Calendar..... 38
Special and private, to be referred to Special, Private and Local Legislation Committee. 36

Chairman of Committee
First in order named..... 17

Clerk of Senate
Appointments by, clerks, etc..... 9
Bills, etc., delivered to, to be printed by Division of Purchase and Printing..... 7
Bills and documents to be bound and preserved in office of..... 14
Bills, reading of same, shall announce whether 1st, 2nd, or 3rd reading..... 10
Custody of records and papers of Senate.... 7
Who records, etc., may deliver same..... 7
Election and term of..... 7
Election of in case of vacancy..... 7

Digitized by Google

	Rule
Clerk of Senate—Continued	
House Clerk and, to interchange messages.	11
Journal kept by	8
Journals printed and delivered to Senators without delay	8
Journal read by	3
Journal signed by	3
Manual printed by, rules, etc., with Constitution	12
Clerk of Senate, to Examine Office of	
Appointment and number of committee on..	16
References	30
Committees, Select	
Number appointed on, 3 to 9	19
Reports from	32
Committees, Standing	
Reports from	32
Appointment of	16
Executive sessions	69
Comptroller, to Examine Office of	
Appointment and number of committee on..	16
County, City and Town Organization	
Appointment and number of committee on..	16
References to	26
Courts of Justice	
Appointment and number of committee on..	16
References to	21
Debates	
Language not allowed in	55
Number of times member may speak	56,57,58,59 and 60
Not debatable	61
Incidental questions	61
Reconsiderations	62

Digitized by Google

	Rule
Doorkeeper	
Election of	15
Duties of, and assistant, relating to who shall be permitted to floor of Senate	15
Preserve in chronological or numerical order, printed documents distributed and delivered to Clerk at close of session	14
Doorkeeper, Assistant	
Election of	15
Doorkeeper, Gallery	
Election of	15
Compensation of	15
Duties	15
Enactment of Laws	
No bill shall become a law until it has been:	
First: Referred to a committee and reported.	
Second: Printed by the house in which it originated prior to passage.	
Third: Read by title on three different calendar days in each house.	
Fourth: Yea and nay vote taken in each house upon its final passage.	
How amendments adopted and concurred in, Const., Sec. 50	36
Special, Private and Local Legislation, how referred, Const., Sec. 50	36
Signed by President and Speaker of House of Delegates, Const., Sec. 50	36
Enrolled Bills	
Appointment and number of committee on	16
Executive Expenditures	
Appointment and number of committee on	16
Executive Nominations	
Appointment and number of committee on	16

Digitized by Google

	Rule
Finance	
Appointment and number of committee on..	16
References to.....	24
Fish and Game	
Appointment and number of committee on..	16
References to.....	28
General Laws	
Appointment and number of committee on..	16
References to.....	22
Governor	
Communications from.....	32
House Bills	
Read first time and referred.....	37
House of Delegates	
Bills or resolutions of, passed or rejected by Senate, when communicated.....	34
Bills or other business originated in, how dispatched.....	35
Communications from, disposition of same..	32
Insurance and Banking	
Appointment and number of committee on..	16
References to.....	29
Interstate Cooperation	
Appointment and number of committee on..	16
Library	
Appointment and number of committee on..	16
Manual of Senate	
Clerk to have printed.....	12
Members of Senate	
Absence not permitted without leave granted	1
Right to correct vote by.....	40
Right to protest on question.....	41

Digitized by Google

Moral, Social and Child Welfare Rule
Appointment and number of committee on.. 16
References to.....29½

Morning Hour
Bills, resolutions and petitions, presented... 32
Calendar..... 33
Committees, receive report of..... 32
Reading of Journal..... 3
Unfinished business..... 33

Motions
To take from table..... 43

Order of Business
Morning hour..... 32
Report of committees..... 32
Resolutions, petitions and bills, by leave... 32
Reading of Journal..... 32
Morning hour as follows..... 32
First: Dispose of Communications.
Second: Reports from Standing Committees.
Third: Reports from Select Committees.
Fourth: To receive bills, resolutions and petitions by leave.
After morning hour consideration of calendar as follows..... 33
First: Unfinished business.
Second: Bills and resolutions in order on calendar.

Order and Decorum
Action taken by Senate, upon word spoken in debate offensive if exception be taken.. 45
Reporting or putting question; order to be preserved..... 44

Pages (Senate)
Appointment..... 6
Duties, supervision by Clerk..... 9

Digitized by Google

Pending and Previous Questions Rule
When pending question put..... 49
When previous question put..... 50

Petitions
What, to be presented and disposition of same.....63,64,65 and 66

President of Senate
Auditing Committee, appointed by (Code, Sec. 311).
Lieutenant Governor to be (Const., Sec. 79).
Compensation of (Const., Sec. 79).
Duties in general..... 3–4
Cause Journal to be read..... 3
Journal signed by..... 3
Resolutions, stated by, without argument.. 4
May call any Senator to the chair, how long to preside..... 5

Printing
Appointment and number of committee on.. 16
Bills, introduced..... 32

Privileges and Elections
Appointment and number of committee on.. 16
Quorum, majority..... 17
Power of committee..... 18
References to..... 20

Public Institutions and Education
Appointment and number of committee on.. 16
References to..... 25

Public Officers, to Examine Bonds of
Appointment and number of committee on.. 16

Quorum
Majority required for call of Senate, by whom made, send for absentees..... 2

Digitized by Google

Register of the Land Office, to Examine Office of Rule
Appointment and number of committee on.. 16

Roads and Internal Navigation
Appointment and number of committee on.. 16
References to..... 23

Rules
Appointment and number of committee on.. 16
Construction of..... 68
Suspended by vote of two-thirds of members elected..... 67

Senate
Bill or resolution of the House, passed or rejected by, when communicated..... 34
Bills originated in, how dispatched..... 35
Consideration of nominations by Governor, shall be in executive session..... 42

Sergeant at Arms
Election of..... 15
Duties..... 13
When Senator taken in custody by..... 13

Special, Private and Local Legislation
Appointment and number of committee on.. 16

Treasurer, State, to Examine Office of
Appointment and number of committee on.. 16

Unfinished Business
Order of business..... 33

Vote, Taking the
Who shall vote..... 51
Pairs announced..... 51
Question to be put in affirmative and then in negative..... 52
When yeas and nays ordered..... 53
Call of Senate directed..... 53

Digitized by Google

Vote, Taking the—Continued Rule
When Senator not allowed to vote..... 54
Votes required to pass various bills. (See same at end of Rules.)

Voting
Designating another to vote on electrical machine..... 54
Journal, recorded in..... 40
Right to correct vote..... 40
Yeas and nays (called by one-fifth of those present, Const., Sec. 49)..... 40

Digitized by Google

Digitized by Google

House of Delegates

Digitized by Google

Digitized by Google

HOUSE OF DELEGATES

HON. G. ALVIN MASSENBURG, *Speaker*
E. GRIFFITH DODSON, *Clerk*

DISTRICTS AND DELEGATES

Accomack:

WRENDO M. GODWIN, Parksley, Va.
See also *Northampton and Accomack.*

Albemarle, Greene and city of Charlottesville:

EDWARD O. MCCUE, JR., Charlottesville, Va.
HENRY B. GORDON, Charlottesville, Va.

Alexandria:

ARMISTEAD L. BOOTHE, Alexandria, Va.

Alleghany and city of Clifton Forge:

HALE COLLINS, Covington, Va.

Amelia and Nottoway:

C. M. WALDROP, Mannboro, Va.

Amherst and city of Lynchburg:

HAROLD B. SINGLETON, Madison Heights, Va.
See also *Nelson and Amherst; and Lynchburg.*

Appomattox, Buckingham and Cumberland:

JOHN B. BOATWRIGHT, Buckingham, Va.

Arlington:

J. MAYNARD MAGRUDER, 1605 N. Danville Street, Arlington, Va.
GEORGE DAMM, 1500 N. Court House Road, Arlington, Va.

Digitized by Google

Augusta and city of Staunton:
GEORGE M. COCHRAN, Staunton, Va.
FELIX E. EDMUNDS, Waynesboro, Va.

Bath, Highland, Rockbridge, and city of Buena Vista:
CHARLES N. LOVING, Hot Springs, Va.
See also *Rockbridge and city of Buena Vista.*

Bedford:
DUVAL RADFORD, Bedford, Va.

Bland and Giles:
D. WOODROW BIRD, Bland, Va.

Botetourt and Craig:
DR. E. W. DODD, Buchanan, Va.

Bristol—See *Washington and city of Bristol.*

Brunswick:
J. W. BLAND, Alberta, Va.

Buchanan:
VERNON C. SMITH, Grundy, Va.
See also *Dickenson and Buchanan.*

Buckingham—See *Appomattox, Buckingham and Cumberland.*

Buena Vista—See *Rockbridge and city of Buena Vista;* also *Bath, Highland, Rockbridge and city of Buena Vista.*

Campbell:
W. H. IRVINE, Evington, Va.

Caroline, Essex, and King and Queen:
FRANK B. BEAZLEY, Bowling Green, Va.

Digitized by Google

Carroll and Floyd:
B. P. SIMPSON (R), Check, Va.

Charles City, James City, New Kent, York and city of Williamsburg:
PAUL CROCKETT, Yorktown, Va.

Charlotte and Prince Edward:
JOHN H. DANIEL, Charlotte Court House, Va.

Charlottesville—See *Albemarle, Greene and city of Charlottesville.*

Chesterfield and Powhatan:
E. FLOYD YATES, Powhatan, Va.

Clarke, Frederick and city of Winchester:
E. BLACKBURN MOORE, Berryville, Va.

Clifton Forge—See *Alleghany and city of Clifton Forge.*

Craig—See *Botetourt and Craig.*

Culpeper and Rappahannock:
D. FRENCH SLAUGHTER, Mitchells, Va.

Cumberland—See *Appomattox, Buckingham and Cumberland.*

Danville:
LANDON R. WYATT, Danville, Va.

Dickenson and Buchanan:
A. R. SINGLETON, Clintwood, Va.
See also *Buchanan.*

Dinwiddie:
ARTHUR H. RICHARDSON, Dinwiddie, Va.

Digitized by Google

Elizabeth City County and city of Hampton:
G. ALVIN MASSENBURG, Hampton, Va.

Essex—See *Caroline, Essex, and King and Queen.*

Fairfax:
ROBERT J. MCCANDLISH, JR., Fairfax, Va.

Fauquier:
L. LAKE TRIPLETT, Marshall, Va.

Floyd—See *Carroll and Floyd.*

Fluvanna, Goochland and Louisa:
HAROLD H. PURCELL, Box 134, Palmyra, Va.

Franklin:
J. BRADIE ALLMAN, Rocky Mount, Va.

Frederick—See *Clarke, Frederick and city of Winchester.*

Fredericksburg—See *Spotsylvania and city of Fredericksburg.*

Giles—See *Bland and Giles.*

Gloucester, Mathews and Middlesex:
JOHN WARREN COOKE, Mathews, Va.

Goochland—See *Fluvanna, Goochland and Louisa.*

Grayson:
DR. M. G. COX, Independence, Va.

Greene—See *Albemarle, Greene and city of Charlottesville.*

Digitized by Google

Greensville and Sussex:
JOSEPH G. MAYES, Stony Creek, Va.

Halifax:
ROY B. DAVIS, Paces, Va.
JOHN S. MCRAE, South Boston, Va.

Hampton—See *Elizabeth City County and city of Hampton.*

Hanover and King William:
EDMUND T. DEJARNETTE, Ashland, Va.

Harrisonburg—See *Rockingham and city of Harrisonburg.*

Henrico:
JOSEPH J. WILLIAMS, JR., Sandston, Va.

Henry and city of Martinsville:
W. R. BROADDUS, JR., Martinsville, Va.

Highland—See *Bath, Highland, Rockbridge and city of Buena Vista.*

Hopewell—See *Prince George, Surry and city of Hopewell.*

Isle of Wight, Nansemond and city of Suffolk:
SHIRLEY T. HOLLAND, Windsor, Va.
See also *Nansemond and city of Suffolk.*

James City—See *Charles City, James City, New Kent, York and city of Williamsburg.*

King and Queen—See *Caroline, Essex, and King and Queen.*

Digitized by Google

King George, Northumberland and Westmoreland:
CHARLES F. UNRUH, Kinsale, Va.

King William—See *Hanover and King William.*

Lancaster and Richmond:
W. TAYLOE MURPHY, Warsaw, Va.

Lee:
J. MARION SMITH (R), R. F. D. 2, Pennington Gap, Va.

Loudoun:
STILSON H. HALL, Leesburg, Va.

Louisa—See *Fluvanna, Goochland and Louisa.*

Lunenburg and Mecklenburg:
C. F. BLACKWELL, Kenbridge, Va.
See also *Mecklenburg.*

Lynchburg:
CECIL W. TAYLOR, Krise Bldg., Lynchburg, Va.
See also *Amherst and city of Lynchburg.*

Madison and Orange:
N. C. BAILEY, Orange, Va.

Martinsville—See *Henry and city of Martinsville.*

Mathews—See *Gloucester, Mathews and Middlesex.*

Mecklenburg:
C. WILLIAM CLEATON, South Hill, Va.
See also *Lunenburg and Mecklenburg.*

Middlesex—See *Gloucester, Mathews and Middlesex.*

Digitized by Google

Montgomery and city of Radford:

BENTLEY HITE (R), Box 103, Christiansburg, Va.

Nansemond and city of Suffolk:

MILLS E. GODWIN, JR., P. O. Box 118, Suffolk, Va.

See also *Isle of Wight, Nansemond and city of Suffolk.*

Nelson and Amherst:

ROBERT WHITEHEAD, Lovingston, Va.

See also *Amherst and city of Lynchburg.*

New Kent—See *Charles City, James City, New Kent, York and city of Williamsburg.*

Newport News:

CHARLES K. HUTCHENS, Newport News, Va.

See also *Warwick and city of Newport News.*

Norfolk City:

DELAMATER DAVIS, Bank of Com. Bldg., Norfolk, Va.

JAMES M. ROBERTSON, Citizens Bank Bldg., Norfolk, Va.

JAS. W. ROBERTS, 129 W. Main St., Norfolk, Va.

J. ADDISON HAGAN, 524 Warren Crescent, Norfolk, Va.

WALTER A. PAGE, Bank of Commerce Bldg., Norfolk, Va.

Norfolk County and city of South Norfolk:

THEODORE G. WALTON, R. F. D. 3, Box 209, Norfolk, Va.

E. T. HUMPHRIES, Fentress, Va.

Digitized by Google

Northampton and Accomack:
HOWARD H. ADAMS, Eastville, Va.
See also *Accomack.*

Northumberland—See *King George, Northumberland and Westmoreland.*

Nottoway—See *Amelia and Nottoway.*

Orange—See *Madison and Orange.*

Page and Warren:
CHARLES C. LOUDERBACK, Stanley, Va.

Patrick:
T. J. GEORGE, Stuart, Va.

Petersburg:
SAMUEL D. RODGERS, Petersburg, Va.

Pittsylvania:
SAMUEL W. SWANSON, Swansonville, Callands, Va.
LINDSEY L. MOORE, R. F. D. 1, Ringgold, Va.

Portsmouth:
W. H. W. CASSELL, Portsmouth, Va.
J. LEON CODD, Portsmouth, Va.

Powhatan—See *Chesterfield and Powhatan.*

Prince Edward—See *Charlotte and Prince Edward.*

Prince George, Surry and city of Hopewell:
LIGON L. JONES, Hopewell, Va.

Prince William and Stafford:
FRANK P. MONCURE, Stafford, Va.

Digitized by Google

Princess Anne:

HARRY B. DAVIS, R. F. D. 4, Norfolk, Va.

Pulaski:

MARVIN G. GRAHAM, Pulaski, Va.

Radford—See *Montgomery and city of Radford.*

Rappahannock—See *Culpeper and Rappahannock.*

Richmond City:

W. H. ADAMS, 913 E. Main St., Richmond, Va.
ALBERT O. BOSCHEN, Law Building, Richmond, Va.
WALTER L. HOPKINS, Law Building, Richmond, Va.
G. EDMOND MASSIE, 1406 E. Franklin Street, Richmond, Va.
CHAS. H. PHILLIPS, Mutual Building, Richmond, Va.
EDWARD T. HAYNES, Mutual Building, Richmond, Va.
W. H. C. MURRAY, 110 N. 4th Street, Richmond, Va.

Richmond County—See *Lancaster and Richmond.*

Roanoke City:

E. GRIFFITH DODSON, JR., Roanoke, Va.
JULIAN H. RUTHERFOORD, JR., Roanoke, Va.

Roanoke County:

ERNEST ROBERTSON, Salem, Va.

Rockbridge and city of Buena Vista:

BALDWIN G. LOCHER, Glasgow, Va.
See also *Bath, Highland, Rockbridge and city of Buena Vista.*

Digitized by Google

Rockingham and city of Harrisonburg:
JAMES O. STICKLEY, Harrisonburg, Va.
GEORGE W. TALIAFERRO (R), Harrisonburg, Va.

Russell:
ROGER D. FRALEY (R), Cleveland, Va.

Scott:
R. DHU COLEMAN, Gate City, Va.

Shenandoah:
WM. C. LAMBERT (R), Woodstock, Va.

Smyth:
RALPH L. LINCOLN (R), Marion, Va.

South Norfolk—See *Norfolk County and city of South Norfolk.*

Southampton:
S. E. POPE, Drewryville, Va.

Spotsylvania and city of Fredericksburg:
WILLIAM J. GIBSON, Fredericksburg, Va.

Stafford—See *Prince William and Stafford.*

Staunton—See *Augusta and city of Staunton.*

Suffolk—See *Isle of Wight, Nansemond and city of Suffolk;* also *Nansemond and city of Suffolk.*

Surry—See *Prince George, Surry and city of Hopewell.*

Sussex—See *Greensville and Sussex.*

Digitized by Google

Tazewell:

DR. JACK W. WITTEN, North Tazewell, Va.

Warren—See *Page and Warren.*

Warwick and city of Newport News:

LEWIS A. MCMURRAN, JR., Newport News, Va.

See also *Newport News.*

Washington and city of Bristol:

J. WALTER GRAY, Abingdon, Va.
STUART CARTER, Bristol, Va.

Westmoreland—See *King George, Northumberland and Westmoreland.*

Williamsburg—See *Charles City, James City, New Kent, York and city of Williamsburg.*

Winchester—See *Clarke, Frederick and city of Winchester.*

Wise:

T. M. BATES, Wise, Va.
J. L. CAMBLOS, Big Stone Gap, Va.

Wythe:

R. KYLE POOLE (R), Wytheville, Va.

York—See *Charles City, James City, New Kent, York and city of Williamsburg.*

Digitized by Google

THE HOUSE OF DELEGATES

A list of members, their postoffices, counties or cities in which they reside, and telegraph offices.

Name	Postoffice	County or City	Telegraph Office
Adams, Howard H.	Eastville	Northampton	Eastville.
Adams, William H.	Richmond	Richmond City	Richmond.
Allman, J. Bradie	Rocky Mount	Franklin	Rocky Mount.
Bailey, Norman C.	Orange	Orange	Orange.
Bates, T. M.	Wise	Wise	Norton.
Beazley, Frank B.	Bowling Green	Caroline	Bowling Green.
Bird, D. Woodrow	Bland	Bland	Wytheville.
Blackwell, C. F.	Kenbridge	Lunenburg	Kenbridge.
Bland, J. W.	Alberta	Brunswick	Alberta.
Boatwright, John B.	Buckingham	Buckingham	Buckingham.
Boothe, Armistead L.	Alexandria	Alexandria	Alexandria.
Boschen, Albert O.	Richmond	Richmond City	Richmond.
Broaddus, W. R., Jr.	Martinsville	Martinsville	Martinsville.
Camblos, J. L.	Big Stone Gap	Wise	Big Stone Gap.
Carter, Stuart	Bristol	Bristol	Bristol.

Digitized by Google

CASSELL, W. H. W.	Portsmouth	Portsmouth	Portsmouth.
CLEATON, C. W.	South Hill	Mecklenburg	South Hill.
COCHRAN, GEORGE M.	Staunton	Staunton	Staunton.
CODD, J. LEON	Portsmouth	Portsmouth	Portsmouth.
COLEMAN, R. DHU	Gate City	Scott	Gate City.
COLLINS, HALE	Covington	Alleghany	Covington.
COOKE, JOHN WARREN	Mathews	Mathews	Mathews.
COX, DR. M. G.	Independence	Grayson	Independence.
CROCKETT, PAUL	Yorktown	York	Yorktown.
DAMM, GEORGE	Arlington	Arlington	Arlington.
DANIEL, JOHN H.	Charlotte C. H.	Charlotte	Drakes Branch.
DAVIS, DELAMATER	Norfolk	Norfolk City	Norfolk.
DAVIS, HARRY B.	R.F.D. 4, Norfolk.	Princess Anne	Norfolk.
DAVIS, ROY B.	Paces	Halifax	Paces.
DEJARNETTE, EDMUND T.	Ashland	Hanover	Ashland.
DODD, DR. E. W.	Buchanan	Botetourt	Buchanan.
DODSON, E. GRIFFITH, JR.	Roanoke	Roanoke City	Roanoke.
EDMUNDS, FELIX E.	Waynesboro	Augusta	Waynesboro.
FRALEY, ROGER D.	Cleveland	Russell	Cleveland.
GEORGE, T. J.	Stuart	Patrick	Stuart.
GIBSON, WILLIAM J.	Fredericksburg	Fredericksburg	Fredericksburg.
GODWIN, MILLS E., JR.	Suffolk	Suffolk	Suffolk.
GODWIN, WRENDO M.	Parksley	Accomack	Parksley.
GORDON, HENRY B.	Charlottesville	Charlottesville	Charlottesville.

Digitized by Google

THE HOUSE OF DELEGATES—CONTINUED

NAME	POSTOFFICE	COUNTY OR CITY	TELEGRAPH OFFICE
GRAHAM, MARVIN GILES	Pulaski	Pulaski	Pulaski.
GRAY, J. WALTER	Abingdon	Washington	Abingdon.
HAGAN, J. ADDISON	Norfolk	Norfolk City	Norfolk.
HALL, STILSON H	Leesburg	Loudoun	Leesburg.
HAYNES, EDWARD T	Richmond	Richmond City	Richmond.
HITE, BENTLEY	Christiansburg	Montgomery	Christiansburg.
HOLLAND, SHIRLEY T	Windsor	Isle of Wight	Windsor.
HOPKINS, WALTER L	Richmond	Richmond City	Richmond.
HUMPHRIES, E. T	Fentress	Norfolk County	Fentress.
HUTCHENS, CHARLES K	Newport News	Newport News	Newport News.
IRVINE, WILLIAM H	Evington	Campbell	Evington.
JONES, LIGON L	Hopewell	Hopewell	Hopewell.
LAMBERT, WM. C	Woodstock	Shenandoah	Woodstock.
LINCOLN, RALPH L	Marion	Smyth	Marion.
LOCHER, BALDWIN G	Glasgow	Rockbridge	Glasgow.
LOUDERBACK, CHARLES C	Stanley	Page	Stanley.
LOVING, CHARLES N	Hot Springs	Bath	Hot Springs.

Digitized by Google

McCandlish, Robert J., Jr.	Fairfax	Fairfax	Fairfax.
McCue, Edward O., Jr.	Charlottesville	Albemarle	Charlottesville.
McMurran, Lewis A., Jr.	Newport News	Newport News	Newport News.
McRae, John S.	South Boston	Halifax	South Boston.
Magruder, J. Maynard	Arlington	Arlington	Arlington.
Massenburg, G. Alvin	Hampton	Hampton	Hampton.
Massie, G. Edmond	Richmond	Richmond City	Richmond.
Mayes, Joseph G.	Stony Creek	Sussex	Stony Creek.
Moncure, Frank P.	Stafford	Stafford	Stafford.
Moore, E. Blackburn	Berryville	Clarke	Berryville.
Moore, Lindsey L.	Ringgold, R.F.D.	Pittsylvania	Danville.
Murphy, W. Taylor	Warsaw	Richmond	Warsaw.
Murray, W. H. C.	Richmond	Richmond City	Richmond.
Page, Walter A.	Norfolk	Norfolk City	Norfolk.
Phillips, Charles H.	Richmond	Richmond City	Richmond.
Poole, R. Kyle	Wytheville	Wythe	Wytheville.
Pope, Samuel E.	Drewryville	Southampton	Drewryville.
Purcell, Harold H.	Palmyra	Fluvanna	Palmyra.
Radford, duVal	Bedford	Bedford	Bedford.
Richardson, Arthur H.	Dinwiddie	Dinwiddie	Dinwiddie.
Roberts, James W.	Norfolk	Norfolk City	Norfolk.
Robertson, Ernest	Salem	Roanoke County	Salem.
Robertson, James M.	Norfolk	Norfolk City	Norfolk.
Rodgers, Samuel D.	Petersburg	Petersburg	Petersburg.

Digitized by Google

THE HOUSE OF DELEGATES—CONTINUED

NAME	POSTOFFICE	COUNTY OR CITY	TELEGRAPH OFFICE
RUTHERFOORD, JULIAN H., JR.	Roanoke	Roanoke City	Roanoke.
SIMPSON, B. P.	Check	Floyd	Roanoke.
SINGLETON, A. R.	Clintwood	Dickenson	Fremont.
SINGLETON, HAROLD B	Madison Heights	Amherst	Lynchburg.
SLAUGHTER, D. FRENCH	Mitchells	Culpeper	Culpeper.
SMITH, J. MARION	R.F.D. 2, Pennington Gap	Lee	Pennington Gap.
SMITH, VERNON C.	Grundy	Buchanan	Grundy.
STICKLEY, JAMES O.	Harrisonburg	Harrisonburg	Harrisonburg.
SWANSON, SAMUEL W.	Swansonville, Callands	Pittsylvania	Chatham.
TALIAFERRO, GEORGE W.	Harrisonburg	Harrisonburg	Harrisonburg.
TAYLOR, CECIL W.	Lynchburg	Lynchburg	Lynchburg.
TRIPLETT, L. LAKE	Marshall	Fauquier	Marshall.
UNRUH, CHARLES F.	Kinsale	Westmoreland	Warsaw.
WALDROP, CHARLES M.	Mannboro	Amelia	Ford (N. & W. Ry.)

Digitized by Google

WALTON, THEODORE G.....	R.F.D. 3, Box 209, Norfolk.....	Norfolk County...	Norfolk.
WHITEHEAD, ROBERT.....	Lovingston.....	Nelson.....	Shipman.
WILLIAMS, JOSEPH J., JR.....	Sandston.....	Henrico.....	Richmond.
WITTEN, DR. JACK W.....	North Tazewell....	Tazewell.....	Tazewell.
WYATT, LANDON R.....	Danville.....	Danville.....	Danville.
YATES, E. FLOYD.....	Powhatan.....	Powhatan.....	Rock Castle.

Digitized by Google

HOUSE OFFICIALS

NAME	OFFICE	POSTOFFUCE	COUNTY OR CITY	TELEGRAPH OFFICE
MASSENBURG, G. ALVIN.	Speaker	Hampton	Hampton	Hampton.
DODSON, E. GRIFFITH	Clerk	Richmond	Richmond City.	Richmond.
RICH, GEORGE R.	Assistant Clerk	Richmond	Richmond City.	Richmond.
PEIRCE, ALICE CLARK	Secretary	Richmond	Richmond City.	Richmond.
GODDIN, STONEWALL	Custodian	Richmond	Richmond City.	Richmond.
LIVESAY, A. D.	Journal Clerk	Richmond	Richmond City.	Richmond.
GARBER, J. W.	Reading Clerk	Richmond	Richmond City.	Richmond.
BOOTH, L. D.	Engrossing Clerk	Richmond	Richmond City.	Richmond.
HOLLEMAN, JOS. H., JR.	Enrolling Clerk	Surry	Surry	Surry.
ADAMS, W. HOWARD	Committee Clerk	Savedge	Prince George	Disputanta.
FERGUSON, A. P.	Committee Clerk	Front Royal	Warren	Front Royal.
MILLER, GROVER C.	Committee Clerk	Luray	Page	Luray.
AUSTIN, H. W., JR.	Committee Clerk	Virginia Beach	Princess Anne	Virginia Beach.
SMITH, WALTER P.	Committee Clerk	Richmond	Richmond City.	Richmond.
PAGE, CHARLES A.	Committee Clerk	Richmond	Richmond City.	Richmond.
MARTIN, JAMES A.	Postoffice Clerk	Richmond	Richmond City.	Richmond.

Digitized by Google

DAVIDSON, HELEN C....	Journal Copyist.....	Richmond.....	Richmond City.	Richmond.
LAW, LOVICK P.....	Sergeant at Arms....	Irvington.....	Lancaster.....	Irvington.
TRIBBETT, W. E.....	Doorkeeper.....	Staunton.....	Staunton.....	Staunton.
AYRES, LOUIS F.....	Doorkeeper.....	Richmond.....	Richmond City.	Richmond.
WALTHER, E. F.....	Gallery Doorkeeper.	Richmond.....	Richmond City.	Richmond.
SANGER, JULIAN.....	Proofreader.....	Richmond.....	Richmond City.	Richmond.
LEE, M. W.....	Proofreader.....	Hopewell.....	Hopewell!.....	Hopewell.
LUMPKIN, WM. B., JR...	Proofreader.....	Richmond.....	Richmond City.	Richmond.
COLE, MARVIN F.....	Proofreader.....	Richmond.....	Richmond City.	Richmond.
GILL, MINNIE M.....	Stenographer.....	Richmond.....	Richmond City.	Richmond.
NORTHINGTON, ANNIE J.	Stenographer.....	Kenbridge.....	Lunenburg.....	Kenbridge.
BAILEY, JEAN E.....	Stenographer.....	Orange.....	Orange.....	Orange.
KING, HJORDIS F.....	Stenographer.....	Richmond.....	Richmond City.	Richmond.
ROBERTS, LETITIA S.....	Stenographer.....	Culpeper.....	Culpeper.....	Culpeper.
BROOKE, RUBY B.....	Stenographer.....	Richmond.....	Richmond City.	Richmond.
EDWARDS, SARA P.....	Stenographer.....	Richmond.....	Richmond City.	Richmond.
SPRATLEY, MARJORIE G.	Stenographer.....	Richmond.....	Richmond City.	Richmond.
STOOTS, DOROTHY.....	Stenographer.....	Pulaski.....	Pulaski.....	Pulaski.
AMICK, HENRIETTA.....	Stenographer.....	Richmond.....	Richmond City.	Richmond.
PRESTON, BETTY.....	Stenographer.....	Arlington.....	Arlington.....	Arlington.
HELBIG, VIRGINIA C....	Stenographer.....	Richmond.....	Richmond City.	Richmond.
WHITWORTH, MARIAN S..	Stenographer.....	Marion.....	Smyth.....	Marion.
CRABTREE, BILLY JACK..	Page.....	N. Tazewell.....	Tazewell.....	N. Tazewell.
BUCHANAN, A. SEXTON..	Page.....	Abingdon.....	Washington.....	Abingdon.

Digitized by Google

HOUSE OFFICIALS—Continued

NAME	OFFICE	POSTOFFUCE	COUNTY OR CITY	TELEGRAPH OFFICE
HOLLAND, WILLIAM E....	Page.....	Windsor.....	Isle of Wight....	Windsor.
SANFORD, TAYLOR H., JR.	Page.....	Ashland.....	Hanover.....	Ashland.
BROWN, JAMES E.....	Page.....	Richmond.....	Richmond City.	Richmond.
WOODALL, E. FRANKLIN.	Page.....	Richmond.....	Richmond City.	Richmond.
GOODWIN, ROBERT B....	Page.....	Salem.....	Roanoke.....	Salem.
RICHARDSON, ARTHUR H., JR.....	Page.....	Dinwiddie.....	Dinwiddie.....	Dinwiddie.
BOWLES, C. CHAMPION, JR.....	Page.....	Sabot.....	Goochland.....	Richmond.
OZMON, ALBERT.....	Page.....	Norfolk.....	Norfolk City....	Norfolk.
HENLEY, G. ROBERT....	Page.....	Norfolk.....	Norfolk City....	Norfolk.
GAYLE, EDWIN ALLEN...	Page.....	Richmond.....	Richmond City.	Richmond.
FISHER, RONALD IRVIN..	Page.....	Petersburg.....	Petersburg.....	Petersburg.
LAMBERT, BERNARD....	Page.....	Richmond.....	Richmond City.	Richmond.
BIGGER, JOHN B.....	Cloak Room Attendant.....	Richmond.....	Richmond City.	Richmond.

Digitized by Google

Digitized by Google

LIST OF MEMBERS OF THE HOUSE OF DELEGATES, SHOWING NUMBER OF SEAT

G. Alvin Massenburg, Speaker

Adams, Howard H.	53	Edmunds, Felix E.	87
Adams, Wm. H.	27	Fraley, Roger D.	83
Allman, J. Bradie.	12	George T. J.	7
Bailey, Norman C.	66	Gibson, William J.	40
Bates, T. M.	89	Godwin, Mills E., Jr.	69
Beazley, Frank B.	52	Godwin, Wrendo M.	70
Bird, D. Woodrow.	94	Gordon, Henry B.	50
Blackwell, C. F.	33	Graham, Marvin Giles.	17
Bland, J. W.	95	Gray, J. Walter.	3
Boatwright, John B.	58	Hagan, J. Addison.	47
Boothe, Armistead L.	22	Hall, Stilson H.	31
Boschen, Albert O.	30	Haynes, Edward T.	46
Broaddus, W. R., Jr.	15	Hite, Bentley.	90
Camblos, J. L.	97	Holland, Shirley T.	63
Carter, Stuart.	18	Hopkins, Walter L.	16
Cassell, W. H. W.	35	Humphries, E. T.	93
Cleaton, C. W.	44	Hutchens, Charles K.	41
Cochran, Geo. M.	19	Irvine, William H.	59
Codd, J. Leon.	2	Jones, Ligon L.	71
Coleman, R. Dhu.	88	Lambert, W. C.	84
Collins, Hale.	45	Lincoln, Ralph L.	78
Cooke. John Warren.	32	Locher, Baldwin G.	80
Cox, Dr. M. G.	98	Louderback, Charles C.	29
Crockett, Paul.	62	Loving, Charles N.	25
Damm, George.	73	McCandlish, R. J., Jr.	23
Daniel, John H.	54	McCue, Edward O., Jr.	34
Davis, Delamater.	39	McMurran, L. A., Jr.	48
Davis, Harry B.	60	McRae, John S.	82
Davis, Roy B.	51	Magruder, J. Maynard.	64
DeJarnette, E. T.	56	Massenburg, G. Alvin.	1
Dodd, Dr. E. W.	65	Massie, G. Edmond.	14
Dodson, E. G., Jr.	21	Mayes, Joseph G.	6

Digitized by Google

MONCURE, FRANK P..... 37
MOORE, E. BLACKBURN.... 55
MOORE, LINDSEY L..... 67
MURPHY, W. TAYLOE..... 8
MURRAY, W. H. C..... 96
PAGE, WALTER A..... 24
PHILLIPS, CHARLES H..... 13
POOLE, R. KYLE..... 79
POPE, SAMUEL E..... 77
PURCELL, HAROLD H..... 72
RADFORD, DUVAL..... 11
RICHARDSON, ARTHUR H... 81
ROBERTS, JAMES W..... 49
ROBERTSON, ERNEST..... 10
ROBERTSON, JAMES M..... 68
RODGERS, SAMUEL D..... 28
RUTHERFOORD, J. H., JR... 20
SIMPSON, B. P..... 91
SINGLETON, A. R..... 42
SINGLETON, HAROLD B..... 85
SLAUGHTER, D. FRENCH.... 74
SMITH, J. MARION.....100
SMITH, VERNON C..... 36
STICKLEY, JAMES O..... 5
SWANSON, SAMUEL W..... 43
TALIAFERRO, GEORGE W... 99
TAYLOR, CECIL W..... 86
TRIPLETT, L. LAKE..... 75
UNRUH, CHARLES F..... 38
WALDROP, CHARLES M..... 9
WALTON, THEODORE G..... 92
WHITEHEAD, ROBERT..... 4
WILLIAMS, JOSEPH J., JR.... 61
WITTEN, DR. JACK W..... 76
WYATT, LANDON R..... 57
YATES, E. FLOYD..... 26

Digitized by Google

HOUSE MEMBERS AND COUNTIES AND CITIES REPRESENTED, ARRANGED ACCORDING TO CONGRESSIONAL DISTRICTS

1st Congressional District

Adams, Howard H.	Northampton and Accomack.
Beazley, Frank B.	Caroline, Essex and King and Queen.
Cooke, John Warren.	Gloucester, Mathews and Middlesex.
*Crockett, Paul.	York.
Gibson, William J.	Spotsylvania and city of Fredericksburg.
Godwin, Wrendo M.	Accomack.
Hutchens, Charles K.	Newport News.
McMurran, Lewis A., Jr.	Warwick and city of Newport News.
Massenburg, G. Alvin.	Elizabeth City County and city of Hampton.
Murphy, W. Taylor.	Lancaster and Richmond.
†Unruh, Charles F.	Northumberland and Westmoreland.

*Paul Crockett also represents Charles City, James City, New Kent and city of Williamsburg in the 3rd District.

†Charles F. Unruh also represents King George in the 9th District.

2nd Congressional District

Cassell, W. H. W.	Portsmouth.
Codd, J. Leon.	Portsmouth.

Digitized by Google

DAVIS, DELAMATER	Norfolk City.
DAVIS, HARRY B	Princess Anne.
GODWIN, MILLS E	Nansemond and city of Suffolk.
HAGAN, J. ADDISON	Norfolk City.
HOLLAND, SHIRLEY T	Isle of Wight, Nansemond and city of Suffolk.
HUMPHRIES, E. T	Norfolk County and city of South Norfolk.
PAGE, WALTER A	Norfolk City.
POPE, S. E	Southampton.
ROBERTS, JAS. W	Norfolk City.
ROBERTSON, JAMES M	Norfolk City.
WALTON, THEODORE G	Norfolk County and city of South Norfolk.

3RD CONGRESSIONAL DISTRICT

ADAMS, WILLIAM H	Richmond City.
BOSCHEN, ALBERT O	Richmond City.
*CROCKETT, PAUL	Charles City, James City, New Kent, and city of Williamsburg.
DEJARNETTE, EDMUND T	Hanover and King William.
HAYNES, EDWARD T	Richmond City.
HOPKINS, WALTER L	Richmond City.
MASSIE, G. EDMOND	Richmond City.
MURRAY, W. H. C	Richmond City.
PHILLIPS, CHAS. H	Richmond City.

*Paul Crockett also represents York County in the 1st District.

Digitized by Google

WILLIAMS, JOSEPH J., JR. Henrico.
†YATES, E. FLOYD..... Chesterfield.

†E. Floyd Yates also represents Powhatan County in the 4th District.

4TH CONGRESSIONAL DISTRICT

BLACKWELL, C. F..... Lunenburg and Mecklenburg.
BLAND, J. W..... Brunswick.
BOATWRIGHT, JOHN B... Appomattox, Buckingham and Cumberland.
CLEATON, C. W..... Mecklenburg.
*DANIEL, JOHN H..... Prince Edward.
JONES, LIGON L..... Prince George, Surry, and city of Hopewell.
MAYES, JOSEPH G..... Greensville and Sussex.
RICHARDSON, ARTHUR H. Dinwiddie.
RODGERS, SAMUEL D.... Petersburg.
WALDROP, C. M..... Amelia and Nottoway.
†YATES, E. FLOYD..... Powhatan.

*John H Daniel also represents Charlotte County in the 5th District.
†E. Floyd Yates also represents Chesterfield County in the 3rd District.

5TH CONGRESSIONAL DISTRICT

ALLMAN, J. BRADIE..... Franklin.
BROADDUS, W. R., JR... Henry and city of Martinsville.
COX, DR. M. G..... Grayson.

Digitized by Google

*Daniel, John H.....Charlotte.
Davis, Roy B.....Halifax.
George, T. J.....Patrick.
McRae, John S.....Halifax.
Moore, Lindsey L.....Pittsylvania.
Poole, R. Kyle (R)....Wythe.
Simpson, B. P. (R).....Carroll.
Swanson, Samuel W...Pittsylvania.
Wyatt, Landon R.....Danville.

*John H. Daniel also represents Prince Edward County in the 4th District.

†B. P. Simpson also represents Floyd County in the 6th District.

6th Congressional District

Collins, Hale.....Alleghany and city of Clifton Forge.
Dodd, Dr. E. W.....Botetourt and Craig.
Dodson, E. Griffith, Jr.....Roanoke City.
Hite, Bentley (R).....Montgomery and city of Radford.
Irvine, W. H.....Campbell.
Radford, duVal.....Bedford.
Robertson, Ernest....Roanoke County.
Rutherfoord, Julian H., Jr.....Roanoke City.
*Simpson, B. P. (R).....Floyd.
†Singleton, Harold B..Lynchburg.
Taylor, Cecil W.....Lynchburg.

*B. P. Simpson also represents Carroll County in the 5th District.

†Harold B. Singleton also represents Amherst County in the 7th District.

Digitized by Google

7TH CONGRESSIONAL DISTRICT

COCHRAN, GEORGE M.	Augusta and city of Staunton.
EDMUNDS, FELIX E.	Augusta and city of Staunton.
LAMBERT, WM. C. (R).	Shenandoah.
LOCHER, BALDWIN G.	Rockbridge and city of Buena Vista.
LOUDERBACK, CHARLES C.	Page and Warren.
Loving, Charles N.	Bath, Highland, Rockbridge, and city of Buena Vista.
MOORE, E. BLACKBURN.	Clarke, Frederick, and city of Winchester.
*SINGLETON, HAROLD B.	Amherst.
†SLAUGHTER, D. FRENCH.	Rappahannock.
STICKLEY, JAMES O.	Rockingham and city of Harrisonburg.
TALIAFERRO, GEORGE W. (R)	Rockingham and city of Harrisonburg.
WHITEHEAD, ROBERT.	Nelson and Amherst.

*Harold B. Singleton also represents Lynchburg in the 6th District.

†D. French Slaughter also represents Culpeper County in the 8th District.

8TH CONGRESSIONAL DISTRICT

BAILEY, N. C.	Madison and Orange.
BOOTHE, ARMISTEAD L.	Alexandria.
DAMM, GEORGE.	Arlington.
GORDON, Henry B.	Albemarle, Greene and city of Charlottesville.

Digitized by Google

HALL, STILSON H.....Loudoun.
MCCANDLISH, ROBERT J., JR.....Fairfax.
MCCUE, EDWARD O., JR.Albemarle, Greene, and city of Charlottesville.
MAGRUDER, J. MAYNARD.Arlington.
MONCURE, FRANK P....Prince William and Stafford.
PURCELL, HAROLD H....Fluvanna, Goochland and Louisa.
*SLAUGHTER, D. FRENCH.Culpeper.
TRIPLETT, L. LAKE.....Fauquier.
†UNRUH, CHARLES F....King George.

*D. French Slaughter also represents Rappahannock County in the 7th District.

†Charles F. Unruh also represents Northumberland and Westmoreland in the 1st District.

9TH CONGRESSIONAL DISTRICT

BATES, T. M.....Wise.
BIRD, D. WOODROW.....Bland and Giles.
CAMBLOS, J. L.....Wise.
CARTER, STUART.....Washington and city of Bristol.
COLEMAN, R. DHU.....Scott.
FRALEY ROGER D. (R)..Russell.
GRAHAM, MARVIN G....Pulaski.
GRAY, J. WALTER.....Washington and city of Bristol.
LINCOLN, RALPH L. (R).Smyth.
SINGLETON, A. R.....Dickenson and Buchanan.
SMITH, J. MARION (R)...Lee
SMITH, VERNON C.....Buchanan.
WITTEN, DR. JACK W...Tazewell.

Digitized by Google

ALPHABETICAL LIST OF MEMBERS OF THE HOUSE OF DELEGATES SHOWING COMMITTEE ASSIGNMENTS

ADAMS, HOWARD H.
Chesapeake and Its Tributaries, Chairman; Appropriations; Manufactures and Mechanic Arts; Retrenchment and Economy.

ADAMS, WILLIAM H.
Insurance and Banking, Chairman; Printing; Public Property; Finance.

ALLMAN, J. BRADIE
Courts of Justice; Currency and Commerce; Militia and Police; Officers and Offices at the Capitol.

BAILEY, N. C.
Labor, Chairman; Roads and Internal Navigation; Insurance and Banking; Moral and Social Welfare.

BATES, T. M.
Appropriations; Currency and Commerce; Mining and Mineral Resources; Claims.

BEAZLEY, FRANK B.
Federal Relations and Resolutions, Chairman; Courts of Justice; Enrolled Bills; Chesapeake and Its Tributaries.

BIRD, D. WOODROW
Agriculture; Roads and Internal Navigation; Asylums and Prisons; Mining and Mineral Resources.

BLACKWELL, C. F.
Special, Private and Local Legislation, Chairman; Privileges and Elections; General Laws; Printing.

BLAND, J. W.
Schools and Colleges; Agriculture; Labor; Public Property.

Digitized by Google

BOATWRIGHT, JOHN B.
General Laws, Chairman; Courts of Justice; Federal Relations and Resolutions; Officers and Offices at the Capitol.

BOOTHE, ARMISTEAD L.
General Laws; Counties, Cities and Towns; Currency and Commerce; Executive Expenditures.

BOSCHEN, ALBERT O.
Asylums and Prisons, Chairman; Claims, Enrolled Bills; Appropriations.

BROADDUS, W. R., JR.
Privileges and Elections; Courts of Justice; Moral and Social Welfare; Federal Relations and Resolutions.

CAMBLOS, J. L.
Courts of Justice; Manufactures and Mechanic Arts; Mining and Mineral Resources; Special, Private and Local Legislation.

CARTER, STUART
Finance; Schools and Colleges; Game and Inland Fisheries; Interstate Cooperation.

CASSELL, W. H. W.
Public Property, Chairman; General Laws; Claims; Officers and Offices at the Capitol.

CLEATON, C. W.
Finance; Claims; Currency and Commerce; Immigration.

COCHRAN, GEORGE M.
Courts of Justice; Schools and Colleges; Manufactures and Mechanic Arts; Moral and Social Welfare.

Digitized by Google

CODD, J. LEON
Labor; Manufactures and Mechanic Arts; Counties, Cities and Towns; Federal Relations and Resolutions; Chesapeake and Its Tributaries.

COLEMAN, R. DHU
General Laws; Game and Inland Fisheries; Immigration; Militia and Police.

COLLINS, HALE
Schools and Colleges; Counties, Cities and Towns; Executive Expenditures; Game and Inland Fisheries; Interstate Cooperation.

COOKE, JOHN WARREN
Privileges and Elections; Finance; Chesapeake and Its Tributaries; Militia and Police; Confirmation.

COX, DR. M. G.
General Laws; Schools and Colleges; Mining and Mineral Resources; Retrenchment and Economy.

CROCKETT, PAUL
Schools and Colleges; Courts of Justice; Chesapeake and Its Tributaries; Special, Private and Local Legislation.

DAMM, GEORGE
Schools and Colleges; Finance; Militia and Police; Asylums and Prisons.

DANIEL, JOHN H.
Appropriations; Roads and Internal Navigation; Asylums and Prisons; Manufactures and Mechanic Arts.

DAVIS, DELAMATER
House Expenses, Chairman; Courts of Justice; Currency and Commerce; Privileges and Elections.

Digitized by Google

DAVIS, HARRY B.
Schools and Colleges, Chairman; Chesapeake and Its Tributaries; Executive Expenditures; Currency and Commerce; Game and Inland Fisheries.

DAVIS, ROY B.
Privileges and Elections, Chairman; Appropriations; Claims; Labor; Rules.

DEJARNETTE, EDMUND T.
Game and Inland Fisheries, Chairman; Roads and Internal Navigation; Immigration; Insurance and Banking; Moral and Social Welfare.

DODD, DR. E. W.
Moral and Social Welfare, Chairman; Schools and Colleges; Finance; Asylums and Prisons; Public Property.

DODSON, E. GRIFFITH, JR.
Courts of Justice; Claims; Counties, Cities and Towns; Enrolled Bills.

EDMUNDS, FELIX E.
Insurance and Banking; Roads and Internal Navigation; Counties, Cities and Towns; Enrolled Bills.

FRALEY, ROGER D.
Counties, Cities and Towns; Mining and Mineral Resources; Federal Relations and Resolutions; Officers and Offices at the Capitol.

GEORGE, T. J.
Finance; Roads and Internal Navigation; Claims; Immigration; Game and Inland Fisheries.

GIBSON, WILLIAM J.
Courts of Justice; Officers and Offices at the Capitol; Insurance and Banking; Special, Private and Local Legislation.

Digitized by Google

GODWIN, MILLS E., JR.
Insurance and Banking; Chesapeake and Its Tributaries; Executive Expenditures; Public Property.

GODWIN, WRENDO M.
General Laws; Agriculture; Chesapeake and Its Tributaries; Enrolled Bills.

GORDON, HENRY B.
Privileges and Elections; Roads and Internal Navigation; Enrolled Bills; Immigration.

GRAHAM, MARVIN GILES
Appropriations; Executive Expenditures; Printing; Federal Relations and Resolutions.

GRAY, J. WALTER
Agriculture; General Laws; Enrolled Bills; Mining and Mineral Resources.

HAGAN, J. ADDISON
Roads and Internal Navigation; Chesapeake and Its Tributaries; Militia and Police; Confirmation.

HALL, STILSON H.
Courts of Justice; Labor; Federal Relations and Resolutions; Special, Private and Local Legislation.

HAYNES, EDWARD T.
Counties, Cities and Towns; Game and Inland Fisheries; Manufactures and Mechanic Arts; Officers and Offices at the Capitol.

HITE, BENTLEY
Federal Relations and Resolutions; Immigration; Mining and Mineral Resources; Labor.

Digitized by Google

HOLLAND, SHIRLEY T.
Finance; Insurance and Banking; Moral an Social Welfare; Interstate Cooperation.

HOPKINS, WALTER L.
Library, Chairman; Privileges and Elections; Appropriations; Militia and Police; Retrenchment and Economy.

HUMPHRIES, E. T.
Appropriations; Roads and Internal Navigation; Currency and Commerce; Retrenchment and Economy; Immigration.

HUTCHENS, CHARLES K.
Militia and Police, Chairman; Privileges and Elections; Finance; Claims; Labor.

IRVINE, WILLIAM H.
Roads and Internal Navigation, Chairman; Agriculture; Labor; Auditing; Game and Inland Fisheries.

JONES, LIGON L.
Appropriations; Counties, Cities and Towns; House Expenses; Retrenchment and Economy.

LAMBERT, WILLIAM C.
Agriculture; Claims; Executive Expenditures; Militia and Police.

LINCOLN, RALPH L.
Public Property; Moral and Social Welfare; Mining and Mineral Resources; Interstate Cooperation.

LOCHER, BALDWIN G.
Appropriations; Agriculture; Game and Inland Fisheries; Asylums and Prisons; Officers and Offices at the Capitol.

Digitized by Google

LOUDERBACK, CHARLES C.
Appropriations, Chairman; Rules; Confirmation; Public Property; Manufactures and Mechanic Arts.

LOVING, CHARLES N.
Immigration, Chairman; Labor; Counties, Cities and Towns; Game and Inland Fisheries; Mining and Mineral Resources.

MCCANDLISH, ROBERT J., JR.
Finance; General Laws; Executive Expenditures; Militia and Police.

MCCUE, EDWARD O., JR.
Courts of Justice, Chairman; Schools and Colleges; Officers and Offices at the Capitol; Executive Expenditures; Rules.

MCMURRAN, LEWIS A., JR.
Counties, Cities and Towns; Roads and Internal Navigation; Chesapeake and Its Tributaries; Immigration; Federal Relations and Resolutions.

MCRAE, JOHN S.
Agriculture; Insurance and Banking; Manufactures and Mechanic Arts; Officers and Offices at the Capitol.

MAGRUDER, J. MAYNARD
Interstate Cooperation, Chairman; Insurance and Banking; Counties, Cities and Towns; House Expenses; Federal Relations and Resolutions.

MASSENBURG, G. ALVIN
Speaker of the House and Chairman of Rules.

MASSIE, G. EDMOND
General Laws; Officers and Offices at the Capitol; Federal Relations and Resolutions; Immigration.

Digitized by Google

MAYES, JOSEPH G.
Schools and Colleges; Roads and Internal Navigation; Claims; Enrolled Bills.

MONCURE, FRANK P.
Auditing, Chairman; Courts of Justice; General Laws; Retrenchment and Economy.

MOORE, E. BLACKBURN
Confirmation, Chairman; Privileges and Elections; Finance; Retrenchment and Economy; Rules.

MOORE, LINDSEY L.
Labor; Agriculture; Moral and Social Welfare; General Laws.

MURPHY, W. TAYLOE
Appropriations; Insurance and Banking; Chesapeake and Its Tributaries; Game and Inland Fisheries; Public Property.

MURRAY, W. H. C.
Labor; Executive Expenditures; Moral and Social Welfare; House Expenses.

PAGE, WALTER A.
General Laws; Counties, City and Towns; Printing; Library.

PHILLIPS, CHARLES H.
Schools and Colleges; Currency and Commerce; Special, Private and Local Legislation; Executive Expenditures.

POOLE, R. KYLE
Game and Inland Fisheries; Retrenchment and Economy; Currency and Commerce; Enrolled Bills.

POPE, SAMUEL E.
Officers and Offices at the Capitol; Schools and Colleges; Asylums and Prisons; Agriculture.

Digitized by Google

PURCELL, HAROLD H.
Roads and Internal Navigation; Schools and Colleges; Asylums and Prisons; Manufactures and Mechanic Arts.

RADFORD, DUVAL
Courts of Justice; Privileges and Elections; Moral and Social Welfare; Retrenchment and Economy.

RICHARDSON, ARTHUR H.
General Laws; Agriculture; Manufactures and Mechanic Arts; Library.

ROBERTS, JAMES W.
Appropriations; Enrolled Bills; Immigration; Militia and Police.

ROBERTSON, ERNEST
Roads and Internal Navigation; Enrolled Bills; Militia and Police; Currency and Commerce.

ROBERTSON, JAMES M.
Courts of Justice; Privileges and Elections; Claims; Federal Relations and Resolutions.

RODGERS, SAMUEL D.
Finance, Chairman; Auditing; Moral and Social Welfare; Asylums and Prisons.

RUTHERFOORD, JULIAN H., JR.
General Laws; Insurance and Banking; Manufactures and Mechanic Arts; Officers and Offices at the Capitol.

SIMPSON, B. P.
Agriculture; Executive Expenditures; Immigration; Special, Private and Local Legislation.

SINGLETON, A. R.
Schools and Colleges; Labor; Officers and Offices at the Capitol; Moral and Social Welfare; Mining and Mineral Resources.

Digitized by Google

SINGLETON, HAROLD B.
Courts of Justice; Asylums and Prisons; Public Property; Insurance and Banking.

SLAUGHTER, D. FRENCH
Currency and Commerce, Chairman; Agriculture; Appropriations; Public Property.

SMITH, J. MARION
Labor; House Expenses; Mining and Mineral Resources; Public Property.

SMITH, VERNON C.
Mining and Mineral Resources, Chairman; Privileges and Elections; Roads and Internal Navigation; Insurance and Banking; Moral and Social Welfare.

STICKLEY, JAMES O.
General Laws; Finance; Immigration; Library.

SWANSON, SAMUEL W.
Public Property; Counties, Cities and Towns; Enrolled Bills; Finance.

TALIAFERRO, GEORGE W.
General Laws; Agriculture; Currency and Commerce; Retrenchment and Economy.

TAYLOR, CECIL W.
Appropriations; Currency and Commerce; Library; Militia and Police.

TRIPLETT, L. LAKE
Claims, Chairman; Privileges and Elections; Appropriations; Retrenchment and Economy.

UNRUH, CHARLES F.
Retrenchment and Economy, Chairman; Roads and Internal Navigation; Agriculture; Asylums and Prisons; Chesapeake and Its Tributaries.

Digitized by Google

WALDROP, CHARLES M.
Agriculture, Chairman; Executive Expenditures; Roads and Internal Navigation; Militia and Police.

WALTON, THEODORE G.
Manufactures and Mechanic Arts; Chesapeake and Its Tributaries; Agriculture; Finance.

WHITEHEAD, ROBERT
Executive Expenditures, Chairman; Schools and Colleges; Finance; Claims.

WILLIAMS, JOSEPH J., JR.
Counties, Cities and Towns, Chairman; Printing, Chairman; Courts of Justice; Asylums and Prisons.

WITTEN, DR. JACK W.
Manufactures and Mechanic Arts, Chairman; Finance; Counties, Cities and Towns; Mining and Mineral Resources; Asylums and Prisons.

WYATT, LANDON R.
Public Property; Counties, Cities and Towns; Federal Relations and Resolutions; Appropriations; Confirmation.

YATES, E. FLOYD
Enrolled Bills, Chairman; Schools and Colleges; Counties, Cities and Towns; Game and Inland Fisheries; Retrenchment and Economy.

Digitized by Google

HOUSE STANDING COMMITTEES

Agriculture:

Messrs. Waldrop, Irvine, Gray, Slaughter, Walton, Locher, Moore (*of Pittsylvania*), Richardson, Unruh, Pope, Godwin (*of Accomack*), Bird, McRae, Bland, Taliaferro, Simpson, Lambert.

Clerk, A. P. Ferguson.

Meets Wednesday at 3:00 P. M. in Room 14.

Appropriations:

Messrs. Louderback, Adams (*of Northampton*), Boschen, Triplett, Hopkins, Davis (*of Halifax*), Wyatt, Slaughter, Humphries, Daniel, Locher, Murphy, Graham, Roberts, Taylor, Jones, Bates.

Clerk, Grover C. Miller.

Meets Monday and Wednesday at 4:00 P. M. in Room 203.

Asylums and Prisons:

Messrs. Boschen, Rodgers, Williams, Dodd, Singleton (*of Amherst*), Witten, Locher, Unruh, Daniel, Damm, Pope, Bird, Purcell.

Clerk, W. Howard Adams.

Meets on Call of Chairman.

Auditing:

Messrs. Moncure, Rodgers, Irvine.

Clerk, H. W. Austin, Jr.

Meets on Call of Chairman.

Chesapeake and Its Tributaries:

Messrs. Adams (*of Northampton*), Davis (*of Princess Anne*), Crockett, Cooke, Walton, Unruh, Beazley, Codd, Murphy, Godwin (*of*

Digitized by Google

Accomack), Godwin (*of Suffolk*), McMurran, Hagan.

Clerk, H. W. Austin, Jr.

Meets on Call of Chairman.

Claims:

Messrs. Triplett, Davis (*of Halifax*), Boschen, Hutchens, Cassell, Whitehead, George, Mayes, Robertson (*of Norfolk City*), Cleaton, Dodson, Bates, Lambert.

Clerk, Charles A. Page.

Meets on Call of Chairman.

Confirmation:

Messrs. Moore (*of Clarke*), Cooke, Wyatt, Louderback, Hagan.

Clerk, H. W. Austin, Jr.

Meets on Call of Chairman in Office of Clerk of House of Delegates, Room 104.

Counties, Cities and Towns:

Messrs. Williams, Yates, Swanson, Loving, Magruder, Witten, Wyatt, Codd, Haynes, Boothe, Dodson, Page, Collins, Jones, McMurran, Edmunds, Fraley.

Clerk, H. W. Austin, Jr.

Meets Tuesday and Thursday at 2:30 P. M. in Room 31.

Courts of Justice:

Messrs. McCue, Williams, Boatwright, Singleton (*of Amherst*), Gibson, Crockett, Davis (*of Norfolk City*), Moncure, Beazley, Hall, Broaddus, Robertson (*of Norfolk City*), Allman, Radford, Dodson, Cochran, Camblos.

Clerk, Charles A. Page.

Meets Monday, Wednesday and Friday at 3:00 P. M. in Room 31.

Digitized by Google

Currency and Commerce:

Messrs. Slaughter, Davis (*of Princess Anne*), Davis (*of Norfolk City*), Phillips, Humphries, Allman, Bates, Cleaton, Boothe, Taylor, Robertson (*of Roanoke County*), Taliaferro, Poole.

Clerk, W. Howard Adams.

Meets on Call of Chairman.

Enrolled Bills:

Messrs. Yates, Boschen, Beazley, Gray, Swanson, Mayes, Godwin (*of Accomack*), Dodson, Edmunds, Gordon, Roberts, Robertson (*of Roanoke County*), Poole.

Clerk, Joseph H. Holleman, Jr.

Meets on Call of Chairman.

Executive Expenditures:

Messrs. Whitehead, Waldrop, Davis (*of Princess Anne*), McCue, Phillips, McCandlish, Boothe, Collins, Godwin (*of Suffolk*), Graham, Murray, Lambert, Simpson.

Clerk, W. Howard Adams.

Meets on Call of Chairman.

Federal Relations and Resolutions:

Messrs. Beazley, Boatwright, Wyatt, Massie, Magruder, Codd, Hall, Broaddus, Robertson (*of Norfolk City*), McMurran, Graham, Hite, Fraley.

Clerk, Charles A. Page.

Meets on Call of Chairman.

Finance:

Messrs. Rodgers, Adams (*of Richmond City*), Moore (*of Clarke*), Hutchens, Dodd, Whitehead, Witten, Walton, Swanson, Holland, Damm, Stickley, Cooke, George, McCandlish, Carter, Cleaton.

Clerk, Walter P. Smith.

Meets Monday and Wednesday at 4:00 P. M. in Room 20.

Digitized by Google

Game and Inland Fisheries:

Messrs. DeJarnette, Irvine, Davis (*of Princess Anne*), Yates, Loving, Locher, George, Murphy, Haynes, Carter, Coleman, Collins, Poole.

Clerk, W. Howard Adams.

Meets on Call of Chairman.

General Laws:

Messrs. Boatwright, Cassell, Blackwell, Moncure, Massie, Gray, Moore (*of Pittsylvania*), Stickley, Richardson, McCandlish, Godwin (*of Accomack*), Page, Boothe, Rutherfoord, Coleman, Cox, Taliaferro.

Clerk, A. P. Ferguson.

Meets Tuesday and Thursday at 3:00 P. M. in Room 21.

House Expenses:

Messrs. Davis (*of Norfolk City*), Magruder, Jones, Murray, Smith (*of Lee*).

Clerk, Clerk of House.

Meets on Call of Chairman in Office of Clerk of House of Delegates, Room 104.

Immigration:

Messrs. Loving, DeJarnette, Massie, Humphries, Stickley, George, Cleaton, Coleman, Gordon, Roberts, McMurran, Hite, Simpson.

Clerk, A. P. Ferguson.

Meets on Call of Chairman.

Insurance and Banking:

Messrs. Adams (*of Richmond City*), Smith (*of Buchanan*), DeJarnette, Gibson, Magruder, Bailey, Singleton (*of Amherst*), Holland, Murphy, McRae, Godwin (*of Suffolk*), Rutherfoord, Edmunds.

Clerk, Charles A. Page.

Meets Tuesday and Thursday at 3:30 P. M. in Room 13.

Digitized by Google

Interstate Cooperation:

Messrs. Magruder, Holland, Carter, Collins, Lincoln.

Clerk, Grover C. Miller.

Meets on Call of Chairman.

Labor:

Messrs. Bailey, Irvine, Davis (*of Halifax*), Hutchens, Loving, Singleton (*of Dickenson*), Moore (*of Pittsylvania*), Hall, Codd, Bland, Murray, Hite, Smith (*of Lee*).

Clerk, Walter P. Smith.

Meets on Call of Chairman.

Library:

Messrs. Hopkins, Stickley, Richardson, Taylor, Page.

Clerk, Charles A. Page.

Meets on Call of Chairman.

Manufactures and Mechanic Arts:

Messrs. Witten, Adams (*of Northampton*), Louderback, Daniel, Walton, Richardson, Codd, Haynes, Camblos, Cochran, McRae, Purcell, Rutherfoord.

Clerk, A. P. Ferguson.

Meets on Call of Chairman.

Militia and Police:

Messrs. Hutchens, Waldrop, Hopkins, Cooke, Damm, McCandlish, Allman, Coleman, Hagan, Roberts, Robertson (*of Roanoke County*), Taylor, Lambert.

Clerk, Walter P. Smith.

Meets on Call of Chairman.

Mining and Mineral Resources:

Messrs. Smith (*of Buchanan*), Gray, Witten, Singleton (*of Dickenson*), Loving, Camblos,

Digitized by Google

Bates, Bird, Cox, Lincoln, Fraley, Hite, Smith (*of Lee*).
Clerk, H. W. Austin, Jr.
Meets on Call of Chairman.

Moral and Social Welfare:
Messrs. Dodd, Rodgers, Smith (*of Buchanan*), DeJarnette, Bailey, Singleton (*of Dickenson*), Moore (*of Pittsylvania*), Holland, Broaddus, Radford, Cochran, Murray, Lincoln.
Clerk, Grover C. Miller.
Meets on Call of Chairman.

Officers and Offices at the Capitol:
Messrs. Gibson, McCue, Boatwright, Cassell, Locher, Massie, Singleton (*of Dickenson*), Pope, Haynes, Allman, Rutherfoord, McRae, Fraley.
Clerk, W. Howard Adams.
Meets on Call of Chairman.

Printing:
Messrs. Williams, Adams (*of Richmond City*), Blackwell, Graham, Page.
Clerk, Walter P. Smith.
Meets on Call of Chairman.

Privileges and Elections:
Messrs. Davis (*of Halifax*), Moore (*of Clarke*), Triplett, Blackwell, Smith (*of Buchanan*), Hopkins, Cooke, Davis (*of Norfolk City*), Broaddus, Hutchens, Robertson (*of Norfolk City*), Radford, Gordon.
Clerk, Grover C. Miller.
Meets on Call of Chairman.

Public Property:
Messrs. Cassell, Adams (*of Richmond City*), Louderback, Singleton (*of Amherst*), Dodd, Swanson, Slaughter, Wyatt, Murphy, Godwin (*of Suffolk*), Bland, Lincoln, Smith (*of Lee*).
Clerk, Grover C. Miller.
Meets on Call of Chairman.

Digitized by Google

Retrenchment and Economy:

Messrs. Unruh, Triplett, Adams (*of Northampton*), Moore (*of Clarke*), Yates, Moncure, Hopkins, Humphries, Radford, Jones, Cox, Taliaferro, Poole.

Clerk, A. P. Ferguson.

Meets on Call of Chairman.

Roads and Internal Navigation:

Messrs. Irvine, Smith (*of Buchanan*), Waldrop, DeJarnette, Daniel, Bailey, Unruh, George, Humphries, Mayes, Purcell, Gordon, Hagan, McMurran, Robertson (*of Roanoke County*), Bird, Edmunds.

Clerk, W. Howard Adams.

Meets Tuesday and Thursday at 10:00 A. M. in Room 20.

Rules:

Messrs. Massenburg, Davis (*of Halifax*), McCue, Louderback, Moore (*of Clarke*).

Clerk, Clerk of the House of Delegates.

Meets on Call of Chairman in Speaker's Room.

Schools and Colleges:

Messrs. Davis (*of Princess Anne*), McCue, Yates, Crockett, Dodd, Whitehead, Damm, Mayes, Phillips, Pope, Singleton (*of Dickenson*), Purcell, Carter, Collins, Cochran, Cox, Bland.

Clerk, Walter P. Smith.

Meets Tuesday and Thursday at 3:30 P. M. in Room 14.

Special, Private and Local Legislation:

Messrs. Blackwell, Gibson, Crockett, Phillips, Hall, Camblos, Simpson.

Clerk, L. D. Booth.

Meets daily at 9:00 o'clock in Office of Clerk of House of Delegates, Room 104.

Digitized by Google

RULES OF THE HOUSE OF DELEGATES

(See Index, Page 136)

I.

Organization—Elections.

1. At the elections in the House, the voting shall be viva voce, and the vote recorded in the Journal. Only one person shall be chosen at a time. If on the first voting no one receives a majority, the person having the smallest number of votes shall not be voted for on the next voting, and so on until some one shall receive a majority of the whole vote. If the election be by joint vote of the two houses, messages shall be exchanged for each voting announcing the names of persons in nomination. A committee of three from each house shall compare the votes and ascertain and report the result.

The Speaker.

2. "The House of Delegates shall choose its own speaker." The Speaker may call to the chair any member, who shall exercise its functions for the time; but no member, by virtue of such appointment, shall preside for a longer time than three consecutive days. During such substitution the Speaker may participate in the debates. If the Speaker be absent, and have named no one to act in his stead, the duties shall be performed by the chairman of one of the standing committees, taking precedence in the order in which the committees are named in Rule 16.

3. The Speaker shall take the chair every day precisely at the hour to which the House shall have adjourned on the preceding day. He shall immediately call the House to order, and a quorum

Digitized by Google

being present, cause the journal of the preceding day to be read. Any mistakes in the entries shall, upon motion, then be corrected, and being found correct, be signed by the Speaker and the Clerk. Upon the last day of the session, the Journal for that day being examined and found correct, shall be signed by the Speaker and the Clerk. The said Journals, when so signed, shall be the authentic record of the proceedings of the House.

4. The Speaker shall have power to supervise and correct the Journal before it is read. He shall have a general direction of the hall, with power, in case of disturbance or disorderly conduct in such part thereof as may be appropriated to spectators, to have the same cleared. Stenographers and reporters for the press, wishing to take down the proceedings of the House, may be admitted by the Speaker, who shall assign them to such places on the floor as shall not interfere with the convenience of the members.

5. All acts and joint resolutions proposing amendments to the Constitution shall be signed by the Speaker; and all writs and warrants issued by order of the House shall be under his hand and seal, attested by the Clerk.

The Clerk.

6. A clerk shall be elected by the House, and shall be deemed to continue in office until another is chosen. He shall appoint an assistant clerk, an enrolling clerk, a journal clerk, a reading clerk, the janitors for the hall and office, and shall, subject to the approval of the Speaker, appoint the six committee clerks provided for by law. He shall be charged with the whole clerical business of the House and its committees, and shall see that the committee clerks discharge properly

Digitized by Google

the duties required of them by the several committees to which they are assigned, and that, when not so employed, they render such assistance as may be required to other committees and in the business of the House. The several clerks and janitors may be removed by the Clerk of the House, with the approval of the Speaker, and the committee clerks shall be so removed upon the request of the committees to which they are severally assigned.

7. The Clerk shall perform all the duties of his office under the direction of the Speaker. He shall keep a journal of the proceedings of the House, have the same in proper form, to be signed as provided by Rule 3, and submit it daily to the Speaker in time to be examined before the next assembling of the House. He shall keep at the Clerk's table, during the sittings of the House, a calendar or docket so arranged as to show the condition and progress of the business of the House, which calendar shall be printed each day and laid on the desk of each member at the opening of the session. He shall have printed and placed on the desk of each member, before the assembling of the House each day, a list of all bills offered on the preceding day, under Rule 37, with the names of the patrons, titles of the bills, and the committees to which the same have been referred.

8. He shall keep accounts of the compensation of the members, officials, and employees of the House, and shall from time to time certify the same to the Comptroller. He shall provide the stationery required for the business of his office, for the House during the session, and for the official use of the members. The claims shall be certified for payment as provided by law. He shall keep detailed accounts of all these transactions in a book to be provided for the purpose, which shall

Digitized by Google

be at all times open to inspection by members of the House. He shall be charged with the duty of assigning each member to a seat in the House, but no seat assigned to a member who is in the continuous service of the House, shall be changed without his consent.

Sergeant at Arms.

9. A sergeant at arms shall be elected by the House, and continue in office during its pleasure. He shall have as his assistants two doorkeepers, who shall be elected by the House, and fourteen pages, to be appointed by the Speaker, who shall receive as compensation one-half the amount provided by law for a doorkeeper.

10. He shall, with his assistants, attend upon the House during its sitting, and execute its commands, together with all such process, issued by its authority, as shall be directed to him by the Speaker.

11. He shall, under the direction of the Speaker, have charge of the policing of the hall, and prevent any interruption of the business of the House by disorder, within or without. He shall distribute among the members all papers printed for their use, and give such attendance upon them during the sittings of the House as will promote their comfort and facilitate the business of the House.

12. He shall procure for the members, when required, certificates for pay and mileage, and, at their request and upon their endorsement, collect and pay over to those entitled the money due upon such certificates.

13. He shall attend to receiving and dispatching all mail or telegraphic matter intended for or sent by members, and make such arrangement therefor as to promote the convenience of the members.

Digitized by Google

Oaths of Office.

14. The oaths which the officers of the House are required by law to take shall be administered and certified by a person authorized to administer oaths, and be filed with the Clerk of the House.

Committees.

15. All committees shall be appointed by the Speaker unless otherwise specially directed by the House, in which case they shall be appointed by ballot, and a plurality of votes shall prevail. The first named member of any committee shall be the chairman, and if he be absent or be excused by the House, one of the members shall act as chairman, taking precedence in the order named, unless the committee elects a chairman.

16. At the beginning of each regular session there shall be appointed standing committees, to consist of not less than nine nor more than thirteen members (except the committees on Finance, Appropriations, Roads and Internal Navigation, Agriculture, Courts of Justice, Schools and Colleges, General Laws, and Counties, Cities and Towns, which shall consist of seventeen members each), as follows:

1. Privileges and Elections.
2. Courts of Justice.
3. Schools and Colleges.
4. General Laws.
5. Roads and Internal Navigation.
6. Finance.
7. Claims.
8. Militia and Police.
9. Asylums and Prisons.
10. Labor.
11. Public Property.

Digitized by Google

12. Currency and Commerce.
13. Agriculture.
14. Manufactures and Mechanic Arts.
15. Counties, Cities and Towns.
16. Officers and Offices at the Capitol.
17. Executive Expenditures.
18. Retrenchment and Economy.
19. Federal Relations and Resolutions.
20. Enrolled Bills.
21. Immigration.
22. Chesapeake and Its Tributaries.
23. Insurance and Banking.
24. Appropriations.
25. Moral and Social Welfare.
26. Mining and Mineral Resources.
27. Game and Inland Fisheries.

17. Also a standing committee to consist of five members, to be called the Committee on House expenses. It shall be the duty of this committee to examine from time to time the accounts kept by the Clerk with the members, officials, and employees of the House, and to decide all questions arising in relation thereto, subject to an appeal to the House. Unless otherwise provided by order of the House, no account for printing stationery, or any other expenses of the House shall be certified for payment without the previous approval of this committee.

18. Also a standing committee on Rules, to consist of five members, including the Speaker, who shall be chairman of the committee.

19. Also a standing committee on Confirmation, to consist of five members; one on the Library, to consist of five members; one on Printing, to consist of five members; one on Special, Private and Local Legislation, to consist of seven members; one on Auditing, to consist of three members;

Digitized by Google

and one on Interstate Cooperation, to consist of five members. These committees, when acting with like committees from the Senate, shall constitute the Joint Committee on Confirmations, the "Library Committee", the "Committee on Printing", the "Committee on Special, Private and Local Legislation", the "Auditing Committee", and the "Committee on Interstate Cooperation", but in all other respects the Library Committee and the Committee on Printing shall act as committees of the House.

20. Any committee of the House may, at its discretion, confer with a committee of the Senate having under consideration the same subject. No select committee shall be appointed to consider any subject falling properly within the province of a standing committee.

21. After the minimum number required by any committee has been appointed, the Speaker may, from time to time, at his discretion, fill it up to the maximum allowed by the rules, which shall in no case be exceeded.

22. Five members of any committee, or a majority, if less than five, shall constitute a quorum. Each committee shall appoint its own regular meetings; and it shall be the duty of a committee to meet on a call of any two of its members, if the chairman be absent or decline to appoint such meeting. No committee shall sit during the sittings of the House without special leave.

23. The several standing committees shall not only consider and report upon the matters specially referred to them, but whenever practicable, suggest such legislation as will provide upon general principles for all similar cases. And it shall be the duty of each committee to inquire

Digitized by Google

into the condition and administration of the laws relating to the subjects which it has in charge; to investigate the conduct and look to the responsibility of all public officers and agents concerned; and to suggest such measures as will correct abuses, protect the public interests, and promote the public welfare.

24. Committees shall in all cases report by bill or resolution, with or without amendment or amendments, in such form that, if passed or agreed to, it will carry into effect their recommendations; but no papers returned therewith shall be printed unless the committee shall so recommend. Every bill shall be printed, as provided in Rule 37. Bills may be considered in executive session, but final vote thereon shall be in open session.

Committee of the Whole.

25. When the House shall go into the Committee of the Whole, the Speaker may vacate the Chair and call some member to preside in committee; the other officers shall attend, and the rules of the House shall be observed and enforced in committee, as far as applicable, except that the previous question shall not be ordered.

26. If the committee arise before the consideration of the subject referred is concluded, the same shall be reported back and have its place in order as unfinished business of the House. When it shall be again reached in order, unless it be otherwise disposed of, the House, after making such orders as it may deem proper in relation to the business before the committee, shall stand again resolved into the Committee of the Whole, and so on until the business therein be disposed of.

27. Nothing shall be in order in the Committee of the Whole except such matters as may be specially referred to it by the House.

Digitized by Google

28. Whenever the Committee of the Whole shall find itself without a quorum, the chairman shall cause the roll to be called and thereupon the committee shall rise, and the chairman shall report the fact and the names of the absentees, which shall be entered upon the Journal of the House.

29. The motion to go into Committee of the Whole, and the motion to discharge the committee, shall not be debated.

II.

Attendance and Adjournment.

30. No member shall absent himself from the service of the House unless he has leave or be sick or unable to attend.

31. Any ten members or more (including the Speaker, if there be one, and he be present), shall be authorized to compel the attendance of absent members by a call of the House.

32. Upon the roll of the House the names of the members shall in all cases be arranged and called in alphabetical order, except that the Speaker shall be called last; provided, however, that the electrical voting system may be used for the call of the roll.

33. Upon a call of the House the names of the members shall be first called over by the Clerk, and the absentees noted; after which the names of the absentees shall be again called over; the doors shall then be shut, and those for whom no excuse or insufficient excuses are made may, by order of those present, if ten in number, be taken in custody as they appear, or may be sent for and taken into custody, wherever to be found, by the Sergeant at Arms or his assistant, or by special messengers to be appointed for that purpose; pro-

Digitized by Google

vided, however, that the electrical voting system may be used for the call of the House.

34. When a member shall be discharged from custody, and admitted to his seat, the House shall determine whether such discharge shall be with or without payment of fees and expenses.

35. Any member or members, may adjourn from day to day. A motion to adjourn, and a motion to fix the time for which the House will adjourn shall always be in order, and be decided without debate.

III.

Introduction of Business.

36. Messages from the Governor, and reports and communications (except petitions and memorials) from any other public officer or agent, may be received at any time, and if, in the judgment of the Speaker, they require immediate action, may be brought at once to the attention of the House, otherwise they shall lie upon the Speaker's table and be disposed of in the morning hour. The same rule shall be observed with regard to messages from the Senate.

37. Members having petitions, memorials, resolutions, or bills to present may, at any time, hand them to the Clerk in duplicate, marking one copy "original" and the other "duplicate", both endorsed with their names, and the reference or disposition desired; but there shall be presented with the joint resolutions, three additional copies thereof. The Clerk shall, under the direction of the Speaker, refer all such "original" papers to the proper committee, and enter the fact, with the names of the members presenting them, upon the Journal; and such bills shall be printed at once unless otherwise ordered by the House, and numbered in the order in which they are handed to the Clerk. The Clerk may decline

Digitized by Google

to receive any petitions, memorials, House resolutions, bills, or amendments to House bills, unless the same be submitted in duplicate, and any joint resolutions or amendments to Senate bills, unless the same be submitted in triplicate.

38. No petition, memorial, bill, joint resolution, or resolution, calling for information from the Governor or other public officer or agent, shall be introduced, considered or acted upon, otherwise than is provided by the preceding rule, until it shall have been examined and reported upon by a committee.

39. Any other resolution or motion upon which a member may desire the judgment of the House, or any action other than a reference to a standing committee, may be presented to the House in the morning hour, after the business on the Speaker's table is disposed of.

40. Reports of committees may be handed to the Clerk at any time. He shall endorse upon them the time when they are received, and place them upon the Speaker's table, to be disposed of in the morning hour. If, in the judgment of the Speaker, any report of a committee requires immediate action, he may bring it to the attention of the House at any time.

IV.

Order of Business—The Morning Hour.

41. After the reading and the signing of the Journal, one hour, to be called the morning hour, shall be devoted to the dispatch of business upon the Speaker's table and to resolutions presented under Rule 39. The business on the Speaker's table shall be disposed of in such order as the Speaker deems best, except as may be herein

Digitized by Google

otherwise provided, or as the House may at any time order.

42. The annual message of the Governor shall be laid before the House as soon as it is received. It shall be printed for the use of the House, and be considered by the several standing committees without any special order therefor.

43. All other messages from the Governor shall, unless the House otherwise order, be referred by the Speaker to the proper committees. And the same rule shall be observed as to reports and communications from other public officers.

44. Bills and joint resolutions sent from the Senate shall be referred by the Speaker to the proper committees. All other messages from the Senate shall, unless the House otherwise order, be referred by the Speaker to the proper committees.

45. All bills reported from committees shall be transferred at once to the calendar in the order in which they are reported.

46. All other reports from committees shall be considered and disposed of in the order in which the Speaker presents them, unless the House shall in any case otherwise direct.

47. A member presenting a resolution under Rule 39 shall be allowed five minutes in which to explain his wishes in relation to it, after which the question on referring to a standing committee shall be taken without debate. If the House refuses to refer, the resolution shall be considered and disposed of.

48. Printing recommended by committees under Rule 24, shall be ordered by the Speaker, unless the House otherwise directs. Under such order no more copies of any document shall be printed than is provided by law; nor shall more than two hundred and fifty copies be printed of any bill,

Digitized by Google

resolution, petition, or memorial without the special order of the House.

The Calendar.

49. At the expiration of the morning hour, or sooner, if the business of the morning hour has been disposed of, the House shall proceed to consider bills, and joint resolutions upon the calendar, in the following order:

1st. House bills on their first reading.
2nd. Senate bills on their first reading.
3rd. Pending motions to reconsider, relating to business proper for the calendar.
4th. The unfinished business of the preceding day.
5th. House bills, etc., returned from the Senate with amendments, in the order in which they were transferred to the calendar.
6th. Senate bills on third reading.
7th. Engrossed House bills, etc., in the order in which they passed to their engrossment.
8th. Senate bills on their second reading.
9th. House bills, etc., on their second reading in the order in which they are reported.

50. It shall be the duty of the Clerk to see that the printing and engrossing, when ordered, shall be done in such time that the bills, etc., may be acted upon according to their priorities upon the calendar. If, however, any bill, etc., shall not be ready when it is reached upon the calendar, it shall be passed by, and be allowed to retain its place upon the calendar.

51. When the calendar has been called through, it may be called again in order to dispose of any business that may be ready, and if there be none such the business of the morning hour shall be

Digitized by Google

resumed and disposed of; but the business of the calendar shall in no case be allowed to interfere with that of the morning hour without the unanimous consent of the members present.

52. The regular order of business herein established shall not be changed, nor shall any special order be made, except by vote of two-thirds of the members present; but a majority may postpone the calendar not exceeding one day at a time, or pass by any subject coming up in order without changing its place, or agree to a joint order with the Senate, or postpone or discharge any special order.

V.

Conduct of Business—Order and Decorum.

53. The Speaker shall preserve order and decorum; may speak to points of order in preference to other members, rising from his seat for that purpose, and shall decide questions of order without debate, subject to an appeal to the House. If the decision relate to a question of decorum or propriety of conduct, it shall not be debatable; if it relate to the priority of business or the relevancy or applicability of propositions, the appeal may be debated, but no member shall speak on it more than once, except by leave of the House.

54. When a member rises to speak he shall respectfully address, "Mr. Speaker" standing in his place; he shall confine himself strictly to the question before the House, and when he has finished he shall sit down.

55. When two or more members rise at the same time, the Speaker shall name the person to speak, but in all cases the member who shall first rise and address the Chair shall speak first.

Digitized by Google

56. Every motion or proposition shall be reduced to writing, if desired by the Speaker or any member, and shall be delivered at the Clerk's table to be there read; and the question shall be stated by the Chair before the same shall be debated. When the reading of any paper in possession of the House, not being the precise matter upon which the House is acting, is called for, and objection is made by any member, the question shall be determined by a vote of the House without debate. Any motion or proposition may be withdrawn by the mover at any time before a decision, amendment, or other action of the body upon it, except a motion to reconsider, which shall not be withdrawn without leave of the House.

57. No member shall in debate use any language or gesture calculated to wound, offend, or insult another member.

58. If any member, in speaking, transgress the rules of the House, the Speaker shall, or any member may call him to order; in which case the member called to order shall immediately take his seat, unless permitted to explain. If there be no appeal, the decision of the Chair shall be final. If the decision be in favor of the member called to order, he shall be at liberty to proceed; otherwise, he shall not proceed, except by leave of the House. For frequent or repeated violations of order, especially if persisted in after the admonition of the Speaker, a member shall be liable to the censure of the House.

59. If any member be called to order by another member for words spoken, the words excepted to shall be immediately taken down in writing, in order that the Speaker and House may be better able to judge the matter.

60. No member shall, while the House is sitting, interrupt or hinder its business by standing up,

Digitized by Google

leaving his place, moving about the hall, engaging in conversation, expressing approval or disapproval of any of the proceedings, or by any other conduct tending to disorder and confusion.

61. No member shall speak more than once on any question until all others have spoken who desire to do so, nor more than twice, without the consent of a majority of the members present.

Ascertaining the Question.

62. If the question for decision includes several distinct propositions, any member may have the same divided, but a motion to strike out and insert shall not be so divided; nor shall a motion to strike out, being lost, preclude either amendment or a motion to strike out and insert. In filling blanks, the question shall be put first upon the largest sum and the longest time. No motion or proposition, or subject different from that under consideration shall be admitted under color of amendment.

63. When a question is before the House, no motion shall be received unless specially provided for, except to adjourn, to pass by, to lay upon the table, to postpone for a specified time or purpose, to commit or amend, or to dismiss; which several motions shall have precedence in the order in which they are arranged. If the motion to pass by, or lay upon the table, or to postpone, shall prevail, a motion to print shall be in order before proceeding to the consideration of another subject, but shall be decided without debate.

64. Upon the motion to pass by, the mover shall be allowed two minutes to state the reason for his motion, and one member opposed to the motion shall be allowed a like time to object. The motion to lay upon the table, for the previous

Digitized by Google

question, and for the pending question, shall not be debated; nor shall debate be allowed on a motion to take up a subject from the table, or to reconsider any question which was not debated. When a question not debatable is before the House all incidental questions arising after it is stated to the House, shall be decided and settled, whether on appeal or otherwise, without debate; and the same rule shall apply to incidental questions arising after any question is put to the House.

Pending and Previous Questions.

65. Pending a debate, any member, who obtains the floor for that purpose only, and submits no other motion or remark, may move for the "previous question" or the "pending question", and in either case the motion shall be forthwith put to the House. Two-thirds of the members present shall be required to order the main question; but a majority may require an immediate vote upon the pending question, whatever it may be.

66. The previous question shall be in this form: "Shall the main question now be put?" If carried, its effect shall be to put an end to all debate and bring the House to a direct vote upon a motion to commit, if pending; then upon amendments reported by a committee, if any; then upon pending amendments; and then upon the main question. If upon the motion for the previous question, the main question be not ordered, debate may continue as if the motion had not been made.

Taking the Vote.

67. The Speaker shall rise to put a question, but may state it sitting. Questions shall be distinctly put in substantially the following forms,

Digitized by Google

viz.: "As many as agree that, etc. (as the question may be), say 'Aye'", and "Those opposed say 'No'." If the Speaker doubts, or a division is called for, the House shall divide, those in the affirmative of the question rising first from their seats, and afterwards those in the negative. If required, the Speaker shall cause the result to be ascertained by a count.

68. The yeas and nays on any question may be called for at any time before proceeding to another question or proposition, but being refused, they shall not be again demanded on the same question; and any member shall have a right to vote at any time before the decision is announced by the Chair.

69. Upon a division of the House on any question, a member who is present and fails to vote shall, on the demand of any member, be counted on the negative of the question; and when the yeas and nays are taken shall, in addition, be entered on the Journal as present and not voting. But no member who has an immediate and personal interest in the result of the question shall either vote or be counted upon it.

Reconsideration.

70. When a question has been decided, it may be reconsidered on the motion of any member who voted with the prevailing side; provided it be made on the same day or within the next two days of actual session. The motion may be entered as a matter of privilege, and shall take precedence of everything except special orders and other questions of privilege, and be disposed of in the morning hour or with the calendar, as the case may be. All motions to reconsider shall be decided by a majority of the votes of the members present.

Digitized by Google

Bills, etc.

71. Every bill shall be read by title on three different calendar days in the House previous to its being passed, and it shall be distinctly announced at each reading, whether it is the first, second, or third time.

72. The first reading of a bill shall be for information merely; and it shall go to second reading without a question.

73. Upon the second reading of a bill, it shall be open to amendment or commitment, or to any of the motions provided for in Rule 63, and the final question shall be "Whether it shall be engrossed and read a third time?"

74. A bill ordered to be engrossed shall not have its third reading until the engrossment is actually and properly done; but, in case of a Senate bill, the engrossment shall only apply to such amendments as may have been made in the House.

75. No amendment to a House bill shall be received upon its third reading by way of rider or otherwise, and no amendment involving an additional appropriation shall be added to the general appropriation bill, unless to carry into effect an existing law, or unless it received the vote required to pass the bill itself. But a bill may at any time before its passage be committed or recommitted, and when reported back shall be placed on the calendar, and if amended, shall, whether on its second or third reading, be engrossed, as may be necessary.

76. On the third reading of a bill the question shall be, "Shall the bill pass?"

77. The title of a bill and all amendments offered shall be entered upon the Journal.

Digitized by Google

Withdrawals of Exhibits.

78. Original papers filed as exhibits with any bill or petition may be withdrawn by the patron, or upon his order, on his leaving attested copies, for which he shall pay the clerk at the rate provided by law for other copies made by him.

Messages.

79. It shall be the duty of the Clerk without any special order therefor, to communicate to the Senate any action of the House upon business coming from the Senate, or upon matters requiring the concurrence of that body; but no such communication shall be made in relation to any action of the House while it remains open for consideration.

Manual and Rules.

80. The rules of parliamentary practice comprised in Jefferson's Manual shall govern the House in all cases to which they are applicable, in which they are not inconsistent with the rules of the House and such joint rules as are or may from time to time be established by the two houses of the General Assembly.

81. The rules of the House may be suspended by a vote of two-thirds of the members present, to be ascertained by an actual division of the House except as prohibited by the Constitution; provided that a motion to discharge a committee from the consideration of a bill shall require a majority of those voting, which shall include two-fifths of the members elected to the House, the vote thereon to be taken by yeas and nays and recorded in the Journal; and provided further,

Digitized by Google

that a motion to dispense with the printing and reading of a bill or either, shall not be entertained, except as provided by the Constitution. But a proposition to change a rule of the House shall be submitted in writing and forthwith printed. In its printed form it shall lie upon the Speaker's table for five days and be read by the House during the morning hour of each day during that time. At the expiration of five days it shall be ready for consideration and may be adopted or rejected by a majority vote of the members present; provided, that as to all resolutions or bills which involve an appropriation or expenditure of money by the Commonwealth, or which may create a charge upon the treasury, the rule of the House shall not be changed or suspended, save by a vote of two-thirds of the members present, to be ascertained by an actual division of the House. Upon a motion to suspend a rule of the House the mover shall be allowed two minutes to state the reasons for his motion, and one member opposed to the motion shall be allowed a like time to object.

Hall of the House of Delegates.

82. The hall of the House of Delegates shall be used for no other purpose than the sessions of the House and for meetings of the committees and members of the legislature on public affairs, except by vote of the House.

83. Only members of the General Assembly, former members, members of the Congress of the United States, State officers, judges, officers and employees of the General Assembly, and such other persons as the Speaker may designate, shall be permitted on the floor of the House during the session thereof, provided that the privileges

Digitized by Google

granted hereunder shall not be exercised by any person having business for compensation before the House or any committee thereof, and the officers of this body shall enforce this rule under the direction of the Speaker.

Digitized by Google

INDEX TO RULES OF THE HOUSE OF DELEGATES

	Rule
Absence	
Provisions in case of	30–31
Absentees	
Attendance, compelled by ten members	31
Committee of whole, reported to House	28
Accounts	
Kept by Clerk	8
Acts of Assembly	
Effective, when	Const., §53
Enactment, method of	Const., §50
Object expressed in title	Const., §52
Signed by Speaker	Const., §50 (d)
Adjournment	
Day to day, any member may move	35
Motion for, not debatable	35
Motion to fix time, not debatable	35
Amendments	
Appropriation bill	75
Entered on Journal	77
Not received on third reading to House Bill	75
Senate amendment, how concurred in	Const., §50 (d)
Subjects not germane, not admitted under color of	62
Agriculture	
Appointment and number of committee on	16
Appropriations	
Appointment and number of committee on	16
Appropriation Bill	
Amendments to	75

Digitized by Google

	Rule
Appeals	
Allowed from ruling of Speaker on certain subjects debatable	53
Ruling on point of order not debatable	53
Ascertaining the Question	
Division of question	62
Germane subject	62
Order of priorities	63
Assistant Clerks	
Appointed by Clerk of House	6
Removal	6
Asylums and Prisons	
Appointment and number of committee on	16
Attendance	
Requirements of members, exceptions	30
Ten members may compel	31
Auditing Committee	
Appointment and number of....Const., §68	19
Bills	
Amendments, second reading	73
Approval, by Governor....Const., §76	
Committee discharged from consideration of....Const., §50	81
Duplicate copy	37
Engrossment, not read third time until done	74
Enrollment, bills signed by Speaker	5
Introduction, handed Clerk	37
Journal, what parts entered on	77
List printed	7
Numbering	37
Passage, roll required....Const., §50	
Printing	37
Number ordered	48
Dispensed with....Const., §50	81

Digitized by Google

Bills—Continued	Rule
Reading, requirement	71
1st for information	72
2nd for amendment, question	73
3rd for passage, question	76
Dispensed with...Const., §50	
Recommittal, when	75
Procedure on report	75
Reference, handed Clerk any time	37
Reports, in form to carry into effect recommendation of committee	24
From committee	45
Requirements, referred and reported...Const., §50	(a)
Printed...Const., §50	(b)
Read on three days...Const., §50	(c)
Yea and nay vote on passage..Const., §50	(d)
Rider, no amendment by, on third reading..	75
Veto by Governor...Const., §76	
Blanks	
Filling in, how done	62
Longest time, largest sum put first	62
Calendar	
Bills reported, placed on	45
Changes not made in order of, except by two-third vote	52
Kept by Clerk	7
Morning hour not interfered with by	51
Order of business on	49
Same, not changed except by two-third vote	52
Postponement of	52
Priorities on	50
Recalling of	51
Call of House	
Call, by whom made	31

Digitized by Google

	Rule
Call of House—Continued	
Electrical voting system	33
Members, called alphabetically	32
Custody of	33
Discharge of	34
Procedure	33
Call of Roll	
Electrical voting system	32
Censure	
Members liable to, for violation of rules	58
Chairman of Committees	
First in order named	15
Charters of Cities and Towns	
Amended by two-third vote	Const., §117
Chesapeake and Its Tributaries	
Appointment and number of committee on	16
Claims	
Appointment and number of committee on	16
Against House, certified by Clerk	8
Clerk of House	
Accounts kept by	8
Appointments by	6
Bills	
List of, printed by	7
Referred by	37
Calendar, kept by	7
Committee reports	40
Committee of the Whole	25
Continues in office	6
Duties in general	6–8
Election of	6
Journal, kept by	7
Signed by	3
Keeper of the Rolls	Const., §66

Digitized by Google

Clerk of House—Continued Rule
Members, compensation of, account kept by 8
Messages to Senate, communicated by..... 79
Oaths of office, filed with..... 14
Printing and engrossing..... 50
Stationery printed by..... 8
Writs and warrants issued by order of House, attested by..... 5

Committee Clerks
Appointment, duties, removal..... 6

Committee of the Whole
Absentees, referred to House..... 28
Business of, such as referred..... 27
House stands resolved into, until business completed..... 26
Motion to go into, not debatable..... 29
Motion to discharge, not debatable..... 29
Officers of..... 25
Order of business..... 27
Presiding officer of..... 25
Previous questions cannot be ordered..... 25
Quorum, how obtained..... 28
Rules of House govern..... 25
Subjects referred, reported back if not completed..... 26
Unfinished business of House if not completed in..... 26

Committees
Annual message of Governor to be considered..... 42
Appointment..... 15
Bills
Discharge from consideration. Const., §50(d)81

Digitized by Google

Committees—Continued Rule
Introduced and referred 37
Printing 24
Reference 37–38
Report on 24
Senate bills, reference 44
Chairman, first named on 15
Duties as Speaker pro tem 2
Duties of, in general 23
Executive sessions (H. J. 1916, p. 245) 24
Joint, to count vote of two houses 1
Legislation, suggested by 23
Listed 16–19
Maximum membership 21
Meetings 22
Messages of Governor referred to 43
Number comprising 16
Papers from 24
Public officers, investigated by 23
Quorum 22
Reports of 23
Handed to Clerk 40
How disposed of 40
Speaker's discretion 46
Resolutions, joint reference 37–38
Select, when not appointed 20
Senate, conference with 20
Sessions of House, not to sit during 22
Speaker, chairman of Rules 18
Standing 16–19
Vacancies, how filled 21
Vote in open session 2

Compensation of Members
Accounts kept by Clerk 8

Digitized by Google

Conference Committee Rule
Report, how adopted.....Const., §50 (d)
See Jefferson's Manual, Sec. 42. (Rev. Ed., §XLVI.)

Confirmations
Appointment and number of joint committee on..... 19

Constitution
Joint resolution proposing amendment to, signed by Speaker..... 5

Counties, Cities and Towns
Appointment and number of committee on.. 16

Courts of Justice
Appointment and number of committee for. 16

Currency and Commerce
Appointment and number of committee on.. 16

Debates
Language not allowed in..... 57
Number of times member may speak..... 61
Speaker may participate in..... 2
Speaker to call members to order for transgressing rules..... 58
See Jefferson's Manual, Sec. 14. (Rev. Ed., §XVII.)

Decorum
See Order and Decorum.

Division of House
How called for..... 67
Member not voting counted in negative.... 69
When member entered on journal..... 69

Division of Question
May be divided..... 62
Motion to strike out and insert not divisible. 62

Digitized by Google

Doorkeepers Rule
Duties....9–13
Election.... 9
See Sergeant at Arms.

Elections
Method of conducting.... 1
Of Speaker.... 2
Of Clerk.... 6
Of Sergeant at Arms.... 9
Of Doorkeeper.... 9

Electrical Voting System
Call of House and Roll....32,33

Emergency
Four-fifths of those voting required....Const., §50 (d)

Engrossment
Bills for, on second reading.... 73
Must be done before third reading.... 74
What in case of Senate bill.... 74

Enrolled Bills
Appointment and number of committee on.. 16
Signature of presiding officer....Const., §50 (d)

Executive Expenditures
Appointment and number of committee on.. 16

Exhibits
When withdrawn and how.... 78

Federal Relations and Resolutions
Appointment and number of joint committee on.... 16

Finance
Appointment and number of committee on.. 16

Digitized by Google

	Rule
Game and Inland Fisheries	
Appointment and number of committee on..	16
General Assembly	
Privilege of members.....Const., §48	
Qualifications of members...Const., §§44, 47	
Salary of members.....Const., §45	
Time and duration of session....Const., §46	
General Laws	
Appointment and number of committee on..	16
Germane Subject	
Subject not germane, not admitted under color of amendment.....	62
Governor	
Annual message of.....	42
Call for information from, not considered until referred to committee.....	38
Duties in regard to bills.....Const., §76	
Messages from, received any time, disposition.....	36
Hall of House of Delegates	
Sergeant at Arms in charge of policing under the direction of Speaker.....	11
Under supervision of Speaker.....	4
Use of.....	82
Who allowed on floor of.....	83
Who excluded.....	83
House of Delegates	
Called to order.....	3
Committees not to sit during session.....	22
Elects own officers.....Const., §47	
Hall of, supervision of Speaker.....	4
Membership.....Const., §42	
Pay of members by Sergeant at Arms.....	12
Process by, signed by Speaker, attested by Clerk, executed by Sergeant at Arms.....5, 10	
Qualification of members.....Const., §44	

Digitized by Google

	Rule
House Expenses	
Appointment and number of committee on..	17
Duties of committee on.....	17
Immigration	
Appointment and number of committee on..	16
Improper Language	
Not allowed.....	57
Information	
Bills, etc., calling for, not considered until referred to committee.....	38
Insurance and Banking	
Appointment and number of committee on..	16
Interstate Cooperation	
Appointment and number of committee on..	19
Introduction of Business	
Bills, etc., may be handed Clerk.....	37
Bills calling for information referred.....	38
Messages from Governor and Senate.....	36
Janitors	
Appointment and removal.....	6
Jefferson's Manual	
Governs when not inconsistent with rules...	80
Joint Committees	
Auditing.....	19
Confirmation.....	19
Interstate Cooperation.....	19
Library.....	19
Printing.....	19
Special, Private and Local Legislation.....	19
Joint Vote	
Committee.....	1
Messages.....	1

Digitized by Google

	Rule
Journal	
Clerk to keep	7
Reading	3
Record of the House	3
Requirement as to...Const., §49	
Signing	3
Title of bill and amendments offered, entered	77
Vote recorded in	1
Journal Clerk	
Appointment, removal	6
Labor	
Appointment and number of committee on..	16
Leave of Absence	
Members not to absent themselves without.	30
Library	
Appointment and number of joint committee on	19
Main Question	
See Previous Question.	
Manufactures and Mechanic Arts	
Appointment and number of committee on..	16
Members of House	
Absence, not permitted	30
Addressing chair	54, 55
Appeal from ruling of chair	53
Called to order for transgression of rules...	58
Called to order, words excepted to, taken down in writing	59
Censure, liable to, for repeated violation of rules	58
Decorum	60
Debate, times allowed to speak	61
Process...Const., §48	
Voting when not required	69

Digitized by Google

Messages Rule
Governor, other public officers, and Senate, disposition..... 36

Messages to Senate
Clerk to communicate..... 79

Militia and Police
Appointment and number of committee on.. 16

Mining and Mineral Resources
Appointment and number of committee on.. 16

Moral and Social Welfare
Appointment and number of committee on.. 16

Morning Hour
Bills from committee..... 45
Bills, etc., from Senate..... 44
Business on Speaker's table..... 41
Calendar not to interfere..... 51
Messages of Governor, other public officers, and Senate considered in..... 36
Messages of Governor..... 43
Printing.....37,48
Reports from committees..... 46
Resolution or motion not referred to committee..... 39
Time for discussion of resolution in..... 47

Motion to Pass by
Time allowed, two minutes to state reason. 64

Motion to Strike Out and Insert
Not divisible..... 62

Motions
May be required to be reduced to writing.. 56
May be withdrawn before amendment..... 56
Motion to reconsider not to be withdrawn without leave of House..... 56
Order to priorities..... 63
Print, when in order..... 63

Digitized by Google

Motions, Precedence	Rule
1. Adjourn	63
2. Pass by	63
3. Lay upon the table	63
4. Postpone for a specified time or purpose	63
5. Print, if 2, 3, or 4 prevail	63
6. Commit or amend	63
7. Dismiss	63
Under Previous Question	
1. Commit, if pending	66
2. Committee amendments, if any	66
3. Pending amendments	66
4. Main question	66
Motions and Questions Not Debatable	
Adjourn, motion to, or fix time	35
Appeals, question on ruling on point of order	53
Committee of the Whole, motion	29
Discharge, motion	29
Incidental question after any question put	64
Incidental question to question itself not debatable	64
Lay on table, motion	64
Pending question, motion	64
Previous question, motion	64
Print, motion after motion to pass by, lay upon table, or postpone, has prevailed	63
Reading of paper, question on, not being acted upon	56
Reconsider question not debated, motion to	64
Resolution under Rule 39, question on reference	47
Ruling on points of order, question	53
Speaker's decision on decorum or propriety of conduct, question	53
Take up from the table, motion	64

Digitized by Google

Newspapers Rule
Reporters for, assigned places in hall by Speaker..... 4

Nominations
Announced in House..... 1

Oaths of Office
Administration and certificate of..... 14
Filed with Clerk..... 14

Officers and Offices at the Capitol
Appointment and number of committee on.. 16

Orders
See Special Orders.

Order of Business
Calendar..... 49
Morning hour..... 41
Not changed except by two-third vote..... 52

Order and Decorum
Appeal on question of order not debatable.. 53
Appeal on question of priority, relevancy, etc., debatable..... 53
Conduct of members..... 60
Decisions of Speaker on questions of order not debatable..... 53
How members shall address chair..... 54
Language and gestures not to be used..... 57
Members called to order, words to be taken down in writing..... 59
Members transgressing..... 58
Number of times member allowed to speak.. 61
Order of debate..... 55
Speaker may speak first on points of order... 53

Pages
Appointment..... 9
Duties.....9–13

Digitized by Google

	Rule
Papers Returned with Bills	
Not to be printed	24
Pending Question	
Effect of ordering	65
Majority necessary to order	65
Not debatable	64–65
No remarks submitted under motion for	65
Personal Interest	
Member shall not vote or be counted	69
Point of Order	
Ruling of Speaker on, not debatable	53
Previous Question	
Committee of whole, cannot be called	25
Debate ended when ordered	66
Form of	66
Not debatable	64–65
No remarks submitted under motion	65
Two-thirds necessary to order	65
Voting	66
See Jefferson's Manual, Sec. 30. (Rev. Ed., §XXXIV.)	
Printing	
Appointment and number of joint committee on	19
Bills	37
Bills introduced, titles	7
Motion to print not debatable under certain conditions	63
Number ordered by Speaker	48
Resolutions	24
Privilege	
Of members	Const., §48
For privileged questions, see Jefferson's Manual, Sec. 29. (Rev. Ed., §XXXIII.)	

Digitized by Google

Privileges and Elections Rule
Appointment and number of committee on.. 16

Public Officers
Investigated and reported on by committees 23

Public Property
Appointment and number of committee on.. 16

Questions
Division of..... 62
Order of priorities of..... 63
Privileged, see Jefferson's Manual, Sec. 29. (Rev. Ed., §XXXIII.)

Questions, Debatable
Appeal from decision of Speaker as to question of priority of business, relevancy, etc. 53

Questions Not Debatable
See Motions and Questions Not Debatable.

Quorum
Committee of whole, method of obtaining.. 28
Majority required for.....Const., §46

Reading Clerk
Appointment, removal..... 6

Reconsideration
Motion for, not withdrawn except by leave of House..... 56
Motion for by member on prevailing side... 70
How disposed of..... 70
No debate on motion on question itself, not debatable..... 64
Precedence except special orders and questions of privilege..... 70
When made and when decided, motion may be entered as matter of privilege..... 70

Reporters
Assigned places in hall of House by Speaker 4

Digitized by Google

	Rule
Resolutions	
Committees report	24
Consideration	40
Handed Clerk for reference, requirements	37
Immediate consideration in morning hour	39
Printing, number	48
Reference	47
Time allowed member presenting	47
Retrenchment and Economy	
Appointment and number of committee on	16
Riders	
No amendment by, on third reading	75
Roll Call	
Alphabetically arranged, except Speaker	32
Electrical voting system	32
Roads and Internal Navigation	
Appointment and number of committee on	16
Rules	
Appointment and number of committee on	18
Committee of the whole	25
Change of	81
Amendment in writing, printed, read five days, majority present	81
Appropriation, etc., involved, by two-thirds present	81
Suspended by two-thirds present	81
Jefferson's Manual to govern when not inconsistent	80
Speaker, chairman of committee on	18
Schools and Colleges	
Appointment and number of committee on	16
Select Committee	
Not appointed	20

Digitized by Google

Senate Rule
Bills and resolutions from, referred to committee ... 44
Conference with committees ... 20
Joint orders with ... 52
Messages from ... 36,44

Sergeant at Arms
Assistants ... 9
Committee of the whole, office of ... 25
Duties ... 9–13
Election ... 9
Mail and telegraph matter dispatched by ... 13
Members, pay and mileage ... 12
Policing of hall ... 11
Printed matter distributed by ... 11
Process, executed by ... 10

Speaker of House
Absence, who to perform duties ... 2
Acts signed by ... Const., §50 5
Addressed, how to be ... 54
Business on table ... 41
Committees appointed by ... 15
Vacancies filled by ... 21
Committee of the whole ... 25
Constitution, amendments signed by ... 5
Debates, may participate in ... 2
Duties in general ... 2–5
Election ... Const., §47 2
Floor of House, who allowed on ... 83
Hall of House, supervision over ... 4
Journal, signed by ... 3
Supervision over ... 4
Order, required to preserve ... 53
Deciding questions of ... 53
Appeals ... 53
Preference in speaking to points of ... 53
Pages, appointed by ... 9

Digitized by Google

	Rule
Speaker of House—Continued	
Pro tem, how long to preside	2
Question, shall rise in putting	67
Recognizes first member arising to speak	55
Reporters, assigned places by	4
Reports from committee	46
Rules committee, chairman of	18
Stenographers, assigned places by	4
Warrants issued by House, signed by	5
Writs, issued by House, signed by	5
Special Orders	
Not made except by two-thirds vote	52
Postponed or discharged by majority	52
Special, Private and Local Legislation	
Appointment and number of committee on...Const., §51	19
Standing Committees	
See Committees.	
Stationery	
Provided by Clerk	8
Stenographers	
Assigned places in hall by Speaker	4
Vacancies on Committees	
Filled by Speaker	21
Viva Voce	
Voting by	1
Votes Required	
Absentees, to attend, 10 members...Const., §46	31
Adjourn, day to day, 1 member..Const., §46	35
Amendment, ordinary bill, concurrence, majority, at least ⅔ of members elected...Const., §50	

Digitized by Google

Votes Required—Continued Rule
Amendment, adding to General Appropriation Bill, majority of members elected.....Const., §50 75
Appropriation of public or trust money or property, majority of members elected.....Const., §50
Attendance, compel, 10 members.....Const., §46 31
Bill, emergency, ⅗ of members voting.....Const., §53
Bill, ordinary, majority, at least ⅗ of members elected.....Const., §50
Bills, involving appropriation charge, claim, debt, new office, tax, majority of members elected.....Const., §50
Change of rule, majority present, and ⅗ of members present, after 5 days..... 81
Charter, city or town, amendments, ⅗ of members elected. Const., §117
Claim or demand of State, releasing, discharging, or commuting, majority of members elected.....Const., §50
Committee, discharge, majority, at least ⅗ of members elected. Const., §50
Committee quorum, 5 members, or majority if less than 5..... 22
Meet on call of 2 members..... 22
Committeemen, when elected, plurality of votes cast..... 15
Concur in amendment of other body, majority, at least ⅗ of members elected.....Const., §50
Conference report, majority, at least ⅗ of members elected....Const., §50

Digitized by Google

Votes Required—Continued Rule

Constitutional amendments, majority of members elected to each body, twice before submitting to the people.....Const., §196 (Code, §312)

Constitutional Convention, majority of members elected.....Const., §197

Constitutional printing and reading, dispensing, ⅘ of members voting.....Const., §50 81

Debt or charge, majority of members elected.....Const., §50

Debt, State, capital outlay, majority of members elected to each body, before submitting to people.....Const., §184-a

Disabilities, duelling, removal, ⅔ vote of General Assembly...Const., §57

Discharge committee, majority, at least ⅖ of members elected.Const., §50 81

Dispense with printing and reading, ⅘ of members voting.....Const., §50 81

Division of question, any member..... 62

Duelling disabilities removed, ⅔ vote of General Assembly..Const., §57

Elections, majority of members voting..... 1

Emergency clause, ⅘ of members voting.....Const., §53 (Code, §4)

Emergency, dispensing with printing and reading, ⅘ of members voting.....Const., §50

Expel a member, ⅔ (of members elected).....Const., §47

Extension of session, ⅗ of members elected.....Const., §46

Digitized by Google

Votes Required—Continued Rule
Extra session, application to Governor by ⅔ of both bodies. Const., §73 (Code, §296)
Governor, tie vote or contest, joint vote of two bodies.....Const., §70
Governor's recommendation for amending bill, majority of members present.....Const., §76
Impeachment, prosecution by Senate.....Const., §54
Joint order, majority of members present... 52
Judges, removal, majority of members elected.....Const., §104
Main question, ⅔ of members present..... 65
Morning hour suspension, unanimous consent of members present..... 51
New office, majority of members elected.....Const., §50
Order of business, change, ⅔ of members present..... 52
Organization, majority of members elected.....Const., §46
Out of order, take up, ⅔ of members present. 52
Pass by, majority of members present..... 52
Pending question, majority of members present..... 65
Postpone calendar for a day, majority of members present..... 52
Previous question, ⅔ of members present... 65
Printing and reading dispensed, ⅘ of members voting.....Const., §50 81
Proceed to business, majority of members elected.....Const., §46
Quorum, majority of members elected.....Const., §46
Reconsideration, majority of members present..... 70

Digitized by Google

Votes Required—Continued Rule
Rules, change, majority of members present, and ⅔ of members present when involving appropriation or expenditure, each case after 5 days..... 81
Rules, suspension, ⅔ of members present... 81
Speaking more than twice on one question, majority of members present..... 61
Special order, ⅔ of members present..... 52
Suspension of rules, ⅔ of members present.. 81
Tax, majority of members elected Const., §50
Veto, to override, ⅔ of members present, which shall include majority of members elected...Const., §76
Yeas and nays, ⅕ of members present.....Const., §49

Voting
Before decision announced..... 68
Joint vote of two houses..... 1
Journal, recorded in..... 1
Majority necessary..... 1
Member, right to have vote recorded..... 68
Personal interest, member not to vote..... 69
Question put by Speaker..... 67
Yeas and nays when taken.....67–68
Viva voce..... 1

Warrants
Signed by Speaker, attested by Clerk..... 5

Writs
Signed by Speaker, attested by Clerk..... 5

Yeas and Nays
Called by one-fifth of those present.....Const., §49
Member present and not voting..... 69
Once refused cannot be again demanded.... 68
When called for..... 68

Digitized by Google

Biographies
Senators and Delegates

Digitized by Google

Digitized by Google

BIOGRAPHIES OF MEMBERS OF THE GENERAL ASSEMBLY

ADAMS, HOWARD HANSON, Eastville, Va.—*Northampton and Accomack Counties*—Democrat. Born in Harborton, Va., December 18, 1891; educated in public schools, Beacom College and LaSalle Extension University; lawyer; married Mabel Edith Pruitt; member: Methodist Church, Cape Charles Rotary Club (past president), Masons (past master and past district deputy grand master), Governor's Advisory Board on the Budget, State Central Democratic Committee, First District Democratic Committee; director, The Eastville Bank. Served twenty years as deputy clerk of Circuit Court of Northampton County. Member of House: 1934—.

ADAMS, WILLIAM HARRISON, Richmond, Va.—*Richmond City*—Democrat. Born in Richmond, Va., March 23, 1872; educated in public schools; president, Virginia Stationery Company; married Ivy N. Longworth; member: Christian Church (secretary of Sunday School, 50 years), Masons, Shrine, B.P.O.E., Jr.O.U.A.M., Woodman of World, Royal Arcanum, and Board of Aldermen, city of Richmond, 24 years (president 13 years). Director of Richmond Chamber of Commerce, 10 years. Member of House: 1930—.

ALLMAN, JOHN BRADIE, Rocky Mount, Va.—*Franklin County*—Democrat. Born in Union Hall, Franklin County, November 17, 1895; educated in public schools, George Washington University, Georgetown University (law), and Bourne Uni-

Digitized by Google

versity in France; lawyer; married Sarah Abigail Beckham; World War I Veteran; member: Methodist Church, Masons, American Legion, Post No. 6, Veterans of Foreign Wars, Lions, Ruritans, Franklin County Bar Association (president), Virginia Bar Association, American Bar Association, Shenandoah Club, Roanoke, Virginia Farm Bureau, Virginia Chamber of Commerce, Franklin County Democratic Committee; director of People's National Bank, Rocky Mount; president of Shenandoah Housing Corporation and Tobacco Board of Trade; mayor of Rocky Mount. Member of House: 1926-30; 1948—.

BAILEY, NORMAN CALVIN, Orange, Va.—*Orange and Madison Counties*—Democrat. Born in Orange County, Va., June 22, 1890; educated in private school in Madison County; wholesale grocer and bank director; married Martha Florence Garrett; member: Methodist Church, Rotary, Orange County Chamber of Commerce, and town council. Mayor of Orange (22 years). Member of House: 1944—.

BALDWIN, ROBERT FREDERICK, JR., Norfolk, Va.—*Second Senatorial District*—Democrat. Born in Norfolk, Va., January 22, 1900; educated at Norfolk Academy, Maury High School, and University of Virginia, B.A., 1920; real estate and insurance agent; married Myra Skinner Carr; World War I Veteran; member: Episcopal Church, Norfolk Boat Club, Princess Anne Country Club, Elks, Phi Beta Kappa, and American Legion. Member of House: 1938-47; member of Senate 1948—.

Digitized by Google

BATES, TENNYSON MONROE, Wise, Va.—*Wise County*—Democrat. Born in Letcher County, Kentucky, July 15, 1892; educated in public schools in Letcher and Pike Counties, Kentucky; farmer and coal operator; married Edna Belle Dale; member: Methodist Church, Masons, Kiwanis; former chairman of Democratic Committee and now secretary of Democratic Committee of Wise County; treasurer of Wise County. Member of House: 1948—.

BATTLE, JOHN STEWART, Charlottesville, Va.—*Twenty-sixth Senatorial District*—Democrat. Born in New Bern, N. C., July 11, 1890; moved to Petersburg, Va., 1893; educated at the University of Virginia, LL.B.; lawyer; married Janie Lipscomb; World War I Veteran; member: Baptist Church, Masons, A.T.O., Phi Beta Kappa, Redland Club, and Farmington Club. Member of House: 1930-33; member of Senate: 1934—

BEAZLEY, FRANK BRYANT, Bowling Green, Va.—*Caroline, Essex, and King and Queen Counties*—Democrat. Born in Sparta, Caroline County, Va., September 3, 1897; educated in public schools of Caroline County, Richmond College and Washington and Lee University; lawyer; married Kate Stegar Rucker; World War I Veteran; member: Baptist Church, Masons (Blue Lodge, Scottish Rite 32°, Shrine, Acca Temple), Elks, Theta Chi, Delta Theta Phi, Ruritans; assistant Trial Justice of Caroline County; and vice-chairman, Caroline County Democratic Committee. Member of House: 1944—.

Digitized by Google

BIRD, DANIEL WOODROW, Bland, Va.—*Bland and Giles Counties*—Democrat. Born in Bland, Va., July 6, 1912; educated at National Business College, Roanoke College, and Emory and Henry College; dairyman and farmer; married Elizabeth Kegley Dunn; member: Methodist Church, Kiwanis (vice president); director of Farm Bureau; president, Bland County Dairy Association. Member of House: 1948—.

BIRD, LLOYD C., R.F.D. No. 9, Richmond, Va.—*Thirty-fourth Senatorial District*—Democrat. Born at Valley Center, Highland County, Va., August 1, 1894; educated in public schools, Randolph-Macon Academy, and Medical College of Virginia; pharmacist and farmer; married Lucille Crutchfield Phinney; World War I Veteran (Base Hospital No. 45, McGuire Unit); member: Methodist Church, American Chemical Society, Virginia Pharmaceutical Association, Ruritans, Kiwanis, Commonwealth Club of Virginia, American Association for the Advancement of Science, and Southern Association of Science and Industry (past president); delegate to National Democratic Convention 1944. President of Phipps & Bird, Inc. Member of Senate: 1944—.

BLACKWELL, CRALLE FAUNTLEROY, Kenbridge, Va.—*Lunenburg and Mecklenburg Counties*—Democrat. Born in Lunenburg County, Va., August 26, 1897; educated in public schools and Washington and Lee University; lawyer; married Anne Clifford Hutcheson; World War I Veteran; member: Methodist Church, Masons, American Legion, Sigma Phi Epsilon and Virginia War Voters Commission. Mayor of Kenbridge, 1924-38. Member of House: 1938—.

Digitized by Google

BLAND, JOSEPH WASHINGTON, Alberta, Va.—*Brunswick County*—Democrat. Born in Crewe, Va., October 8, 1912; educated at Crewe High School, Randolph-Macon College, B.A., and College of William and Mary, graduate work; salesman and educator; married Agnes Bourdon Abernathy; member: Methodist Church, Masons, and Ruritans. Member of House: 1948—.

BLANTON, THOMAS HUNTER, Bowling Green, Va.—*Thirty-first Senatorial District*—Democrat. Born at McDuff, Caroline County, Va., October 19, 1895; educated at University of Virginia, LL.B.; lawyer, banker and farmer; married Blanche Dulany Broaddus; member: Baptist Church, Masons (past Master Kilwinning-Crosse Lodge No. 2-237), Ruritans, Commonwealth Club of Richmond, and Virginia Bankers Association (past president), Board of Managers, Alumni Association of the University of Virginia. Commonwealth's Attorney of Caroline County (1924-25); president of the Union Bank and Trust Company, Bowling Green; secretary and director of Cassco Corporation and subsidiaries; secretary-treasurer and director of Tidewater Telephone Company; vice president and director, Brown & Hooff, Inc., Manassas, Va.; vice president and director, Thos. M. Brooks Lumber Co., Inc., Richmond, Va. Member of Senate: 1944—.

BOATWRIGHT, JOHN B., Buckingham, Va.—*Appomattox, Buckingham, and Cumberland Counties*—Democrat. Born in Marion, Va., November 27, 1881; educated in public schools, Richmond College, and T. C. Williams Law School, LL.B.; lawyer; married Grace Nolle Jones; member: Baptist Church, State Bar Association, Modern

Digitized by Google

Woodmen, and Ruritans. Member of House: 1922-23, 1936—.

BOOTHE, ARMISTEAD LLOYD, Alexandria, Va.—*Alexandria City*—Democrat. Born in Alexandria, Va., September 23, 1907; educated in public schools, Episcopal High School, University of Virginia, B.A. 1928, and Oxford University, B.A. in Jurisprudence 1931; lawyer; married Elizabeth Ravenel Peelle; World War II Veteran (Air Combat Intelligence Officer, Carrier Air Groups 2, U.S.S. *Hornet*, and 93, U.S.S. *Boxer*); member: Episcopal Church, Eagles, and Lions; city attorney, 1938-43. Member of House: 1948—.

BOSCHEN, ALBERT ORLANDO, Richmond, Va.—*Richmond City*—Democrat. Born in Richmond, Va., June 25, 1873; educated in public schools of Henrico County and Richmond City, St. Mary's Benedictine School, Richmond, Va., Richmond College (now University of Richmond), Old Dominion Business College, Richmond, Va., and T. C. Williams Law School; lawyer; (became a member of the Richmond Bar, September 19, 1898); married Mamie J. Toomey; member: Episcopal Church; past master of Metropolitan Lodge No. 11, A.F.&A.M.; past monarch of Samis Grotto; secretary of City Democratic Committee in 1900-02. Member of House: 1918-20, 1924-27, 1934—.

BREEDEN, EDWARD L., JR., Norfolk, Va.—*Second Senatorial District*—Democrat. Born in Norfolk, Va., January 28, 1905; educated at Hampden-

Digitized by Google

Sydney College and George Washington University; lawyer; married Willie Holland; member: Presbyterian Church, Lions Club, Masons, B.P.O. Elks, Kappa Sigma, Virginia Club of Norfolk, and Princess Anne Country Club. Member of House: 1936-42; Member of Senate: 1944—.

BROADDUS, WILLEY RICHARD, JR., Martinsville, Va.—*Henry County and city of Martinsville*—Democrat. Born in West Point, Va., December 30, 1895; educated at West Point High School, University of Richmond, B.A. and LL.B.; lawyer; married Honlu Evans; World War I Veteran (2nd Lieutenant, 112th Field Artillery, 29th Division); member: Baptist Church, American Legion (former Post Commander), Masons, Pi Kappa Alpha, Omicron Delta Kappa, Knights of Pythias, Forest Park Country Club, Kiwanis (former president and lieut. governor), Virginia State Bar Association; trustee of University of Richmond and Fork Union Military Academy; chairman of Democratic Committee of Henry County; Commonwealth's attorney of Henry County, 1929-46; vice president, Virginia War Fund; director, First National Bank of Martinsville and Bassett Furniture Industries, Inc. Member of House: 1947—.

BUTTON, ROBERT YOUNG, Culpeper, Va.—*Twenty-eighth Senatorial District*—Democrat. Born in Culpeper County, Va., November 2, 1899; educated in Culpeper High School and University of Virginia, LL.B.; lawyer and farmer; married Kathleen Antoinette Cheape; member: Baptist

Digitized by Google

Church, Masons, Rotary, Virginia State Board of Education, State and American Bar Associations, and formerly, Virginia Parole Board and State Board of Accountancy. Member of Senate: 1946—.

BYRD, HARRY FLOOD, JR., Winchester, Va.—*Twenty-fifth Senatorial District*—Democrat. Born in Winchester, Va., December 20, 1914; educated at Virginia Military Institute and University of Virginia; newspaper editor and orchardist; married Gretchen Bigelow Thomson; World War II Veteran (Lt. Commander U.S.N.R.); member: Episcopal Church. Member of Senate: 1948—.

CAMBLOS, JAMES LYLE, Big Stone Gap, Va.—*Wise County*—Democrat. Born in Philadelphia, Pa., January 23, 1888; educated at Blight Preparatory School, Philadelphia, and University of Virginia, LL.B.; lawyer; married Margaret Bullitt (deceased); member: Episcopal Church, Masons, Kiwanis, Virginia State Chamber of Commerce, Virginia Bar Association, American Bar Association; director of Southwestern Virginia, Inc.; vice president of The Virginia Coal and Iron Company. Member of House: 1948—.

CARPENTER, JAMES CLIVIE, JR., Clifton Forge, Va.—*Twentieth Senatorial District*—Democrat. Born at Fredericks Hall, Louisa County, Va., February 6, 1886; educated at V.P.I., Washington and Lee University, and Eastman College, Poughkeepsie, N. Y.; banker and general contractor; married Alma Isabel Williamson; member: Baptist Church, Kiwanis, Delta Tau Delta, Cliftondale Country Club, Va.-W. Va. Seniors

Digitized by Google

Golf Association, city council, and State Registration Board for Contractors. President of First National Bank, Clifton Forge, and Clifton Forge Chamber of Commerce; and director of Virginia Electric & Power Company; Baptist Orphanage, Salem, Va., Clifton Forge Wholesale Grocery Company; honorary member of the Franklin D. Roosevelt Warm Springs Memorial Commission. Member of Senate: 1944—.

CARTER, CURRY, Staunton, Va.—*Twenty-third Senatorial District*—Democrat. Born in Washington, Va., April 17, 1892; educated at Augusta Military Academy and Hampden-Sydney College, B.A.; lawyer; married Constance Curry; World War I Veteran (Lieutenant), World War II Veteran (Lt. Colonel); member: Baptist Church, American Legion, Veterans of Foreign Wars, Reserve Officers Association, Kappa Alpha, American Bar Association, Virginia State Bar Association; president of board of visitors of The Virginia School for the Deaf and the Blind, Shenandoah Valley, Inc., and Augusta-Rockingham Bank, Weyers Cave, Va.; delegate to Democratic National Convention, 1940; mayor of Staunton 1936-38. Member of Senate: 1948—.

CARTER, HENRY STUART, Bristol, Va.—*Washington County and city of Bristol*—Democrat. Born in Big Stone Gap, Va., September 5, 1910; educated at Emory and Henry College and University of Virginia, LL.B. 1935; lawyer; not married; World War II Veteran (U.S.A.); member: Methodist Church, American Legion, Veterans Foreign Wars, American and Virginia Bar Associations. Member of House: 1948—.

Digitized by Google

CASSELL, WILLIAM HAZZARD WIGG, Portsmouth, Va.—*Portsmouth City*—Democrat. Born in Portsmouth, Va., August 21, 1894; educated at Norfolk Academy, Randolph-Macon College, A.B., and University of Virginia, LL.B.; lawyer; not married; World War I Veteran, U.S. Navy, 1917-19; member: Episcopal Church, American Legion, B.P.O. Elks, Kappa Alpha, and Virginia State Bar Association; commander, Portsmouth Post No. 37, 1932-33. Member of House: 1938—.

CAUDILL, DR. WALTER CLEVELAND, Pearisburg, Va.—*Nineteenth Senatorial District*—Democrat. Born in Alleghany County, N. C., June 9, 1888; educated at Elk Creek Training School, Elk Creek, Va., Appalachian State Teachers College, Boone, N. C., and Medical College of Virginia, Richmond, Va.; physician and surgeon; married Mary Ring Cornett; World War I Veteran, A.E.F.; member: Baptist Church, Lions Club, Masons, Shrine, American Legion, American College of Surgeons, and Democratic State Central Committee; vice president, Bank of Giles County, Pearisburg, Va. Member of House: 1936-38; Senate: 1940—.

CLARKE, ANDREW WILKERSON, Alexandria, Va.—*Twenty-ninth Senatorial District*—Democrat. Born in Dinwiddie County, Va., January 23, 1907; educated at George Washington University and National University Law School, LL.B.; lawyer; married Margaret C. Harrison; member: Episcopal Church, Kiwanis Club of Alexandria, Junior Chamber of Commerce, Masons, Shrine, Virginia State Bar Association, and Belle Haven Country Club. Member of Senate: 1944—.

Digitized by Google

CLEATON, CHARLES WILLIAM, South Hill, Va.—*Mecklenburg County*—Democrat. Born in Crichton, Brunswick County, Va., November 6, 1899; educated at La Crosse High School and College of William and Mary; hardware, tractor and farm implement dealer; married Alva Bracey; member: Methodist Church, Masons, 32nd degree (past district deputy grand master of District No. 28), Shrine, Eastern Star (past worthy patron, Loyalty Chapter), Lions (past president), South Hill Chamber of Commerce, former member of town council of South Hill (mayor *pro tem*). Member of House: 1948—.

COCHRAN, GEORGE MOFFETT, Staunton, Va.—*Augusta County and city of Staunton*—Democrat. Born in Staunton, Va., April 20, 1912; educated at Episcopal High School and University of Virginia, B.A., LL.B.; lawyer; not married; World War II Veteran (Lt. Commander U.S. N.R.); member, Episcopal Church. Member of House: 1948—.

CODD, J. LEON, Portsmouth, Va.—*Portsmouth City*—Democrat. Born in Portsmouth, Va., January 31, 1875; educated at College of William and Mary; retired principal high school; married Julia A. Green; member: Methodist Church, Phi Beta Kappa, Masons, Thirty-second Degree, past grand high priest, Grand Royal Arch Chapter of Virginia, past potentate of Khedive Temple A.A.O.N.M.S., 1945 Constitutional Convention. Member of House: 1946—.

COLEMAN, RODERICK DHU, Gate City, Va.—*Scott County*—Democrat. Born in Gate City, Va., May 25, 1915; educated at Emory and Henry College, B.A., and Washington and Lee Uni-

Digitized by Google

versity, LL.B.; lawyer; married Evelyn Josephine Magley; World War II Veteran (Captain, U.S.A.); member: Methodist Church and Civitans. Member of House: 1948—.

COLLINS, MICHAEL MCHALE, Covington, Va.—*Alleghany County and city of Clifton Forge*—Democrat. Born in Covington, Va., August 9, 1901; educated at Covington High School, Mount Saint Marys College, Md., and University of Virginia, LL.B.; lawyer; married Eleanor Burr McCoy; member: Catholic Church, Rotary, Moose, Virginia Bar Association and American Bar Association, Club Denmark, Covington Fire Department, and executive committee of County Democratic Committee. Member of House: 1948—.

COOKE, JOHN WARREN, Mathews, Va.—*Gloucester, Mathews, and Middlesex Counties*—Democrat. Born in Mathews, Va., February 28, 1915; educated at public and private schools and V.M.I.; county government administration; married Anne Brown Rawn; member: Episcopal Church, Mathews Rotary Club, Gloucester Country Club, Commonwealth Club; vice president, Tidewater Newspapers, Inc.; director, Tidewater Telephone Co.; secretary, House Democratic Caucus 1944—. Member of House: 1942—.

COX, DR. MONTAGUE G., Independence, Va.—*Grayson County*—Democrat. Born in Mouth of Wilson, Va., March 3, 1904; educated at Emory University, D.D.S.; dentist; married Jessie Lee Gambill; member: Methodist Church, Masons, and Lions. Member of House: 1948—.

Digitized by Google

CROCKETT, PAUL, Yorktown, Va.—*Charles City, James City, New Kent, and York Counties, and city of Williamsburg*—Democrat. Born at Grafton, York County, Va., July 15, 1899; educated at York County public schools, Blackstone Military Academy, and College of William and Mary; lawyer; married Camilla Nelsen; World War I Veteran, U.S. Marine Corps; member, Masons; Commonwealth's attorney, York County, 1932-40. Presidential Elector, 1936. Member of House: 1942—.

CROWDER, CHARLES W., Richmond, Va.—*Thirty-fifth Senatorial District*—Democrat. Born at Ballsville, Powhatan County, Virginia, September 3, 1890; educated in public schools of Richmond, and University of Richmond, LL.B.; lawyer; married B. Grace Wyatt; member: Methodist Church, Richmond Lions Club (past president), Masons, Richmond Bar Association, Virginia State Bar Association, Virginia State Bar, Richmond Chamber of Commerce, Travelers Protective Association, Salvation Army Advisory Board, Lee Ward Democratic Club, and formerly a member of Virginia Advisory Legislative Council and State Auditing Committee. Member of House: 1924, 1928-38; member of Senate: 1940—.

DALTON, TED, Radford, Va.—*Twenty-first Senatorial District*—Republican. Born in Carroll County, Va., July 3, 1901; educated in public schools and College of William and Mary, B.A., 1924, B.L.; lawyer; married Mary Turner; member: Baptist Church, Sigma Nu, O.D.K.; Commonwealth's attorney for Radford City, 1929-37. Member of Senate: 1944—.

Digitized by Google

DAMM, GEORGE, Arlington, Va.—*Arlington County*—Democrat. Born in Roxbury, Massachusetts, February 23, 1896; educated in Boston Public Schools, Emerson Institute, Washington, D. C., National University Law School, LL.B.; lawyer; married Edna Martha Theelander; World War I Veteran (111th Field Artillery, 29th Division); member: Masons, American Legion, Kiwanis, Arlington County Democratic Club, Social Hygiene Society of Arlington; vice-chairman of Arlington Red Cross. Member of House: 1946—.

DANIEL, JOHN HANNAH, Charlotte Court House, Va.—*Charlotte and Prince Edward Counties*—Democrat. Born at Charlotte Court House, Va., March 1, 1896; educated in public schools in Charlotte Court House; farmer and business man; married Eloise Burney; member: Presbyterian Church, Ruritans, Farm Bureau, board of trustees, Patrick Henry Memorial Foundation, Inc., Charlotte County Democratic Committee (chairman), State Soil Conservation Committee (chairman); president, Burney Building Corp., Rome, Ga., John H. Daniel Company, Knoxville, Tenn., and Virginia Crafts, Inc., Keysville, Va. Member of House: 1944—.

DAVIS, DELAMATER, Norfolk, Va.—*Norfolk City*—Democrat. Born in Cleveland, Ohio, February 9, 1886; educated in public schools in Norfolk; lawyer; married Estelle Barton Hubbard; member: Episcopal Church, Norfolk and Portsmouth Bar Association, American Bar Association, American Judicature Society, Masons, Knights Templar, Scottish Rite 32nd Degree, Shrine, Elks, and Norfolk Executives Club. Member of House: 1938; 1944—.

Digitized by Google

DAVIS, HARRY B., R.F.D. No. 4, Norfolk, Va.—*Princess Anne County*—Democrat. Born in Princess Anne County, Va., July 24, 1893; educated at Old Norfolk Academy and Hampden-Sydney College; ice manufacturer and farmer; not married; member: Baptist Church, Masons' Knights Templar, 32nd Degree, and Shrine. Member of House: 1934—.

DAVIS, ROY B., Paces, Va.—*Halifax County*—Democrat. Born in Paces, Va., November 22, 1888; educated in public and private schools; farmer; married Blanche Tune; member: Baptist Church, Masons, Woodmen of the World, National Farm Loan Association of Halifax County (president), and Halifax County Agricultural War Board representing Farm Credit Administration of Baltimore. Member of House: 1932—.

DEJARNETTE, EDMUND TOMPKINS, Ashland, Va.—*Hanover and King William Counties*—Democrat. Born in Caroline County, Va., August 22, 1897; educated at Ashland High School and Randolph-Macon College; partner, DeJarnette & Paul, insurance general agents; married Emily Redd Carter; member: St. James the Less Episcopal Church (vestryman), Kiwanis Club (past president), Masons, Hanover Club, Commonwealth Club, Omicron Delta Kappa, and Kappa Sigma Fraternity; member, Virginia Advisory Legislative Council. Member of House: 1934; 1942—.

DODD, DR. ELBERT WHITE, Buchanan, Va.—*Botetourt and Craig Counties*—Democrat. Born in Amherst County, Va., March 4, 1885; educated in public schools, Fork Union Military Academy, and Medical College of Virginia; physician;

Digitized by Google

married Carrie May Pryor; member: Baptist Church, American Medical Association, State Medical Society, County School Trustee Electoral Board (chairman), council, town of Buchanan, and Masons, Shrine; formerly mayor of Buchanan; president, Bank of Buchanan. Member of House: 1940—.

DODSON, EDWARD GRIFFITH, JR., Roanoke, Va.—*Roanoke City*—Democrat. Born in Norfolk, Va., February 11, 1914; educated in public schools, Episcopal High School, and University of Virginia, B.A. and LL.B., 1937; lawyer; married Mary Archer Talcott; World War II Veteran (Lt., U.S.N.R.); member: Episcopal Church, Delta Kappa Epsilon and Phi Delta Phi. Member of House: 1948—.

EDMUNDS, FELIX E., Waynesboro, Va.—*Augusta County and city of Staunton*—Democrat. Born in Java, Pittsylvania County, Va., April 25, 1899; educated at University of Richmond; lawyer; married Frances Fitzpatrick; World War I Veteran (S.A.T.C. at N. C. State College); member: Baptist Church, American Legion, Rotary, Waynesboro Chamber of Commerce (past president and secretary), Young Democratic Club (Seventh District chairman). Member of House: 1948—.

FENWICK, CHARLES R., Arlington, Va.—*Twenty-second Senatorial District*—Democrat. Born in East Falls Church, Va., August 11, 1900; educated at University of Virginia, LL.B., and George Washington University, post graduate, patent law; lawyer, specializing in patent, trademark and unfair competition; married Eleanor Russell Eastman; World War I Veteran (private,

Digitized by Google

Tank Corps) and World War II Veteran (Lt. Colonel, J.A.G.D., assigned to Air Corps); member: Baptist Church, Sigma Nu, Phi Delta Phi, O.D.K., Washington Golf and Country Club, Touchdown Club (past president), Rotary (past president), University of Virginia Alumni Association (past president), Democratic Club of Arlington County, Democratic Executive Committee (past chairman), State Central Democratic Committee, State Boxing and Wrestling Commission, State Welfare Board, State Hospital Advisory Council, and Governor's Staff. Member of House: 1940-45; member of Senate: 1948—.

FITZPATRICK, EARL ABBATH, Roanoke, Va.—*Thirty-sixth Senatorial District*—Democrat. Born in Roanoke, Va., September 22, 1904; educated at Jefferson High School (Roanoke) and Washington and Lee University; lawyer; married Mary Linn Petty; member: Presbyterian Church, Masons, Elks, Kappa Sigma, O.D.K., and Roanoke Country Club. Member of House: 1938-45; member of Senate: 1948—.

FRALEY, ROGER DANA, Cleveland, Va.—*Russell County*—Republican. Born in Cleveland, Va., September 10, 1923; educated at University of Virginia, B.S.; merchant; not married; World War II Veteran (Lt. [jg], U.S.N.R.); member of Methodist Church; director of Bank of Russell County. Member of House: 1948—.

GARDNER, JAMES EARLE, Richmond, Va.—*Thirty-fifth Senatorial District*—Democrat. Born at Camden, South Carolina, September 5, 1900; educated in Camden and Columbia, South Carolina, public schools, and University of

Digitized by Google

Richmond; president, Business Equipment Company, Inc.; married Virginia Leanore Davis; member: First English Lutheran Church, Masons (Blue Lodge, Scottish Rite 32°, Acca Shrine Temple), Samis Grotto, Circus Saints and Sinners, Eastern Commercial Teachers Association, Lions, Sphinx Club (past president), Elks, Eagles, Richmond Chamber of Commerce, State Chamber of Commerce, Lee Ward Democratic Club, Ginter Park Young Democratic Club (past president), and Young Democratic Clubs of Virginia (past district chairman). Member of House: 1944-47; member of Senate: 1948—.

GEORGE, THOMAS JEFFERSON, Stuart, Va.—*Patrick County*—Democrat. Born in Stokes County, N. C., September 29, 1882; educated in public schools, Oak Ridge Institute, and A. M. College, Raleigh, N. C.; milling and feed business; married Minnie Lou Handy; member: Presbyterian Church, T.P.A., Odd Fellows; president, First National Bank, Stuart, Va. Member of House: 1926-28, 1934, 1946—.

GIBSON, WILLIAM JOHN, Fredericksburg, Va.—*Spotsylvania County and city of Fredericksburg*—Democrat. Born in Philadelphia, Pa., November 2, 1910; educated in public schools of Culpeper, Woodberry Forest, University of Virginia, and T. C. Williams Law School; lawyer; married Virginia Kemper Miller; World War II Veteran; member, Elks. Member of House: 1942—.

GODWIN, MILLS EDWIN, JR., Suffolk, Va.—*Nansemond County and city of Suffolk*—Democrat. Born in Chuckatuck, Nansemond County, Va., November 19, 1914; educated at Chuckatuck High School, College of William and Mary,

Digitized by Google

and University of Virginia, LL.B.; lawyer; married Katherine Thomas Beale; World War II, special agent in F.B.I.; member: Congregational Christian Church, Masons, Pythians, Ruritans, Suffolk German Club, Suffolk-Nansemond Red Cross Chapter (vice president), Tuberculosis Association (vice president), Eastern Virginia Sunday School Convention (president). Member of House: 1948—.

GODWIN, WRENDO MARION, Parksley, Va.—*Accomack County*—Democrat. Born in Poulson, Va., September 22, 1896; educated at Hargrave Military Academy and University of Richmond; lawyer; married Elsie May Houchins; member: Baptist Church, Masons, Ruritans, Parksley Three Arts Club. Member of House: 1938; 1948—.

GOODE, MORTON GRAHAM, Dinwiddie, Va.—*Eighth Senatorial District*—Democrat. Born in Mecklenburg County, Va., educated in public schools of Mecklenburg and Prince Edward Counties, Fredericksburg College, and University of Virginia, LL.B.; lawyer; married Lucy Barnes Homes; member: Episcopal Church, State and American Bar Associations, Masons, Shrine, Ruritans, Elks, Saints and Sinners Club, and Phi Gamma Delta; chairman, State Hospital Board; member of State Board of Law Examiners. Member of Senate: 1922-27, 1936—.

GORDON, HENRY BURR, Charlottesville, Va.—*Albemarle and Greene Counties and city of Charlottesville*—Democrat. Born in Salisbury, N. C., February 16, 1901; educated at University of Virginia, LL.B., 1926; lawyer; married Vesta F. Lee; member: Episcopal Church and Red Land

Digitized by Google

Club of Charlottesville. Member of House: 1948—.

GRAHAM, MARVIN GILES, Pulaski, Va.—*Pulaski County*—Democrat. Born in Shawsville, Montgomery County, Va., September 11, 1910; educated in public schools, Roanoke College, B.S. 1934, and University of Virginia, LL.B. 1938; lawyer; married Malvine Wise Paxton; World War II Veteran (Lt. Commander U.S.N.R.); member: Methodist Church, American Legion (past Post Commander), Elks. Member of House: 1948—.

GRAY, GARLAND, Waverly, Va.—*Sixth Senatorial District*—Democrat. Born at Gray, Va., November 28, 1901; educated at Waverly High School, University of Richmond, B.A., and Washington and Lee University, M.A.; farmer; president of Gray Lumber Company, president of Bank of Waverly; married Agnes Elizabeth Taylor; member: Congregational Church, Phi Kappa Sigma, Commonwealth Club of Richmond, University Club of Washington; former chairman, State Port Authority; chairman U.S.O. 4th Congressional District, World War II. Member of Senate 1942-45; 1948—.

GRAY, JOHN WALTER, Abingdon, Va.—*Washington County and city of Bristol*—Democrat. Born in Washington County, Va., February 13, 1870; educated in public school; farmer; married Nancy Elinor Lowry; member, Presbyterian Church. Member of House: 1920-24; 1944—.

GUEST, RAYMOND RICHARD, Bayard, Va.—*Twenty-fourth Senatorial District*—Democrat. Born in New York, November 25, 1907; educated at

Digitized by Google

Yale University, B.A.; farmer; married Elizabeth Polk; World War II Veteran (Commander, U.S.N.R.); member: Episcopal Church, American Legion, Veterans Foreign Wars, and Kiwanis. Member of Senate: 1948—.

GUNTER, BENJAMIN THOMAS, JR., Accomac, Va.—*First Senatorial District*—Democrat. Born at Accomac, Va., August 6, 1902; educated at University of Richmond, B.A., Harvard Law School, and University of Richmond Law School; lawyer; married Margaret Harris Allen; member: Baptist Church and Kappa Alpha. Member of Senate: 1944—.

HAGAN, JOSEPH ADDISON, Norfolk, Va.—*Norfolk City*—Democrat. Born in Richmond, Va., October 6, 1895; educated at John Marshall High School (Richmond), and Virginia Military Institute, B.S.; Gary Steel Products Corporation (division head); married Marie Ridley; World Wars I and II Veteran (Distinguished Service Cross and Order of Purple Heart); member: Catholic Church, Knights of Columbus, Legion of Valor, American Legion, Reserve Officers Naval Service, Virginia Club (Norfolk), Norfolk Yacht and Country Club, V.M.I. Alumni Association (vice president). Member of House: 1948—.

HAGOOD, DR. JAMES DAVIS, Clover, Va.—*Tenth Senatorial District*—Democrat. Born in Mecklenburg County, Va., November 4, 1889; educated at Warrenton Academy, Warrenton, N. C.; and Medical College of Virginia, M.D.; physician; married Wirt Carrington Jordan; member: Methodist Church, Masons, Shrine, American Medical Association, Virginia State Medical Society,

Digitized by Google

South Piedmont Medical Society, Commonwealth Club. Member of Senate: 1942—.

HALL, STILSON HUTCHINS, Leesburg, Va.—*Loudoun County*—Democrat. Born in Loudoun County, Va., February 20, 1893; educated at Leesburg High School and National University Law School, Washington, D. C.; lawyer; not married; World War I Veteran; member: Episcopal Church, Masons, Royal Arch Chapter, Rotary, American Legion, Virginia Bar Association, and American Bar Association. Member of House: 1946—.

HARRISON, ALBERTIS SYDNEY, JR., Lawrenceville, Va.—*Seventh Senatorial District*—Democrat. Born in Brunswick County, Va., January 11, 1907; educated at Lawrenceville High School and University of Virginia, LL.B.; lawyer; married Lacey Virginia Barkley; World War II Veteran (commissioned officer, U.S.N.R); member: Episcopal Church, Virginia Bar Association (vice president), and various civic organizations; former president of Commonwealth's Attorneys Association of Virginia; Commonwealth's attorney of Brunswick County for sixteen years. Member of Senate: 1948—.

HAYNES, EDWARD THOMAS, Richmond, Va.—*Richmond City*—Democrat. Born in Richmond, Va., March 14, 1901; educated in Richmond public schools and University of Richmond, B.S., LL.B.; lawyer; married Vivian Ruth Allen; member: Baptist Church, Eagles, U.C.T., Country Club of Virginia, T.P.A., International Association of Fire Chiefs (honorary), Clay Ward Democratic Club, Lee Ward Democratic Club (past president), City Democratic Com-

Digitized by Google

mittee (vice-chairman), Young Democratic Clubs of Virginia, Debating and Forensic Council of University of Richmond, Tau Kappa Alpha Debating Society, Thomas Nelson Page Literary Society of University of Richmond (past president), Richmond Bar Association, Virginia State Bar Association (vice president 1945 and 1946), District of Columbia Bar Association, American Bar Association, Richmond Chamber of Commerce, and Board of Directors of the Fireman's Mutual Aid Association, Richmond. Former Assistant Attorney General of Virginia. Appointed by President Roosevelt to Board of Veterans Appeals, Washington, D. C. (served two years, 1933-35). Delegate to Democratic Convention at Norfolk, 1936, and at Roanoke, 1940. Member of House: 1944-45; 1948—.

HILLARD, MAJOR M., Portsmouth, Va.—*Third Senatorial District*—Democrat. Born in Morgan County, Tennessee, October 23, 1896; educated at College of William and Mary and University of Richmond, B.S., LL.B.; lawyer; married Mary Frances Cherry; World War I Veteran; Virginia State Bar War Service Committee, World War II; member: Baptist Church, American Legion, Elks, Kiwanis, Ruritans, National Highway Safety Council, Virginia State Bar. Member of House: 1928-30; member of Senate: 1932—.

HITE, BENTLEY, Christiansburg, Va.—*Montgomery County and city of Radford*—Republican. Born in Montgomery County, December 26, 1900; educated at Roanoke College, A.B., and University of Virginia, LL.B.; lawyer; not married; World War II Veteran (Commander U.S.N.R.); member: Methodist Church, Masons, Rotary;

Digitized by Google

former Commonwealth's attorney for Montgomery County. Member of House: 1930; 1948—.

HOLLAND, SHIRLEY THOMAS, Windsor, Va.—*Isle of Wight and Nansemond Counties and city of Suffolk*—Democrat. Born in Holland, Va., October 8, 1896; educated in public schools, Elon College, and Massey Business College; banker, farmer, and insurance agent; married Gladyse Anne Elizabeth Joyner; World War I Veteran; member: Christian Church, Masons, Knights Templar, Shrine (Khedive Temple), Ruritans, Commonwealth Club, town council, 1922-45, County Democratic Executive Committee, 1927-45, Virginia Bankers Association (past president, Group I). Member of House: 1946—.

HOPKINS, WALTER L., Richmond, Va.—*Richmond City*—Democrat. Born in Franklin County, Va., December 26, 1889; educated in public schools, College of William and Mary, University of Virginia, and Washington and Lee University, A.B., 1912, LL.B., 1914; lawyer; not married; World War I Veteran (Lt., Co. K, 318 Inf., 80th Division); member: Episcopal Church, Virginia War Voters' Commission (vice-chairman), State Central Democratic Committee—1940-44, Richmond Bar Association, Virginia State Bar, Eagles, Sons of Confederate Veterans (past State commander, National commander and National judge advocate), American Legion, Omicron Delta Kappa, Phi Alpha Delta, Kappa Chi, Governor Pollard's Staff, Third Congressional District Democratic Committee—1940-44 (acting chairman); president of R. E. Lee Camp Confederate Memorial Park board; and former vice-chairman, Richmond City Democratic Committee. Member of House: 1940—.

Digitized by Google

HUMPHRIES, EDWARD THOMAS, Fentress, Va.—*Norfolk County and city of South Norfolk*—Democrat. Born in Princess Anne County, Va., April 12, 1868; educated in public schools of Princess Anne County; merchant and farmer; married Irene F. Wood; member: Baptist Church, Great Bridge Ruritan Club, Elizabeth River Tunnel Commission; director of Merchants and Planters Bank of Norfolk and Southern Produce Company of Norfolk. Member of House: 1928-42; 1946—.

HUTCHENS, CHARLES KUNKLE, Newport News, Va.—*Newport News City*—Democrat. Born in Radford, Va., January 22, 1896; educated in Newport News public schools; owner, Chevrolet Agency, Newport News; married Anne Elizabeth McErlaine; member: Methodist Church, Rotary Club, James River Country Club, Elks, Propeller Club, Commonwealth Club; director of Tidewater Auto Association; vice president and director, Newport News-Hampton Automobile Dealers Association; director, Citizens Marine Jefferson Bank; chairman, Warwick County Chapter American Red Cross Disaster and Relief Committee; vice president and director, Newport News Athletic Club; president, Virginia Peninsula Association of Commerce. Member of House: 1938—.

IRVINE, WILLIAM H., Evington, Va.—*Campbell County*—Democrat. Born in Evington, Va., November 1, 1899; educated at Virginia Military Institute, Hampden-Sydney College, and College of William and Mary; farmer and sawmiller; married Lucy W. O. Ward; member: Episcopal Church and Kappa Alpha. Member of House: 1934—.

Digitized by Google

JONES, LIGON LEE, Hopewell, Va.—*Prince George, Surry, and city of Hopewell*—Democrat. Born in Hopewell, Va., December 29, 1916; educated at Randolph-Macon College, B.S., and University of Richmond, LL.B.; lawyer; married Alma Ruth Loflin; World War II Veteran (Lt., U.S.N.R.); member: Methodist Church, American Legion, Phi Beta Kappa, O.D.K., Phi Kappa Sigma. Member of House: 1948—.

KENDIG, DR. W. DENNIS, Kenbridge, Va.—*Ninth Senatorial District*—Democrat. Born in Spotsylvania County, Va., May 29, 1881; educated at Bell Air Academy, Lewiston, Va., and Medical College of Virginia, M.D.; physician and surgeon; married Helen Murray Yates; member: Baptist Church, Masons, Phi Beta Pi, Kenbridge Chamber of Commerce (former president), board of visitors of Medical College of Virginia, board of directors of Bank of Lunenburg, Fourth District Medical Society (past president), Medical Society of Virginia (vice president, former member of council and chairman, ethics committee), Southern Medical Association, American Medical Association, Lunenburg County Medical Society (past president), Southside Medical Society, State Democratic Central Committee, and Lunenburg County Democratic Committee (chairman). Member of Senate: 1948—.

LAMBERT, WILLIAM CHESLEY, Woodstock, Va.—*Shenandoah County*—Republican. Born near Edinburg, Va., December 28, 1914; educated at Edinburg High, M.M.A. Commercial; dealer in poultry and feed; married Evelyn Pauline Eckard; member: Methodist Church and Lions. Member of House: 1948—.

Digitized by Google

LANDRETH, SIDNEY FLOYD, Galax, Va.—*Fourteenth Senatorial District*—Republican. Born in Carroll County, Va., March 27, 1885; educated at Woodlawn High School, Carroll County, and Washington and Lee University; lawyer, farmer and banker; married Lola Evelyn Lintecum; member: Christian Church, Masons, Rotary, Moose, Boy Scouts, Virginia State Bar Association, and Retail Merchants Association. President of First National Bank, Galax, Va., and former Commonwealth's attorney of Carroll County. Director, Southwestern Virginia, Inc., and local Chamber of Commerce. President, Y.M.C.A. of Galax, Va. Member of Senate: 1944—.

LINCOLN, RALPH LOUIS, Marion, Va.—*Smyth County*—Republican. Born in Marion, Va., December 19, 1905; educated at Marion High School, Davidson College, B.S., University of Virginia, LL.B.; lawyer; married Sarah Cynthia Richardson; member: Presbyterian Church, Kiwanis, I.O. O.F., and Beta Theta Pi; Commonwealth's attorney, Smyth County, 1935-43; president, Lincoln Builders Supply Co., Inc.; director, Marion National Bank. Member of House: 1946—.

LOCHER, BALDWIN GERARD, Glasgow, Va.—*Rockbridge County and city of Buena Vista*—Democrat. Born in Glasgow, Rockbridge County, Va., July 25, 1899; educated in Glasgow High School; industrial sand producer, fruit grower, and farmer; married Lawton Fox; World War I Veteran; member: Episcopal Church, Shrine, Ruritans; past president of Southern States Cooperative, Richmond. Member of House: 1944—.

LONG, MACON MELVILLE, St. Paul, Va.—*Seventeenth Senatorial District*—Democrat. Born in

Digitized by Google

Rappahannock County, Va., April 2, 1885; educated at University of Richmond, B.L.; lawyer, banker, and farmer; married Charlotte Tompkins; member: Baptist Church, Wise County Bar Association (former president), Virginia State Bar (former president), Virginia State Bar Association (former vice president), American Bar Association, Board of Trustees, University of Richmond; president, St. Paul National Bank; delegate, Democratic National Convention, 1940. Member of House: 1940-42; member of Senate: 1944—.

LOUDERBACK, CHARLES C., Stanley, Va.—*Page and Warren Counties*—Democrat. Born in Stanley, Va., January 3, 1878; educated in public schools of Page County, and Eaton & Burnett's Business College, Baltimore, Md.; bank cashier, farmer, and insurance agent; taught school 1895-1905; married Cora Alice Driver; member: Baptist Church, Masons, Shrine (Acca Temple), Huguenot Society of The Founders of Manakin in the Colony of Virginia, Denny School Commission, Governor's Advisory Committee on Budget, Governor's Advisory Commission on Personnel; past chairman, Group III, Virginia Bankers Association. Member of House: 1930—.

LOVING, CHARLES NICHOLAS, Hot Springs, Va.—*Bath, Highland, Rockbridge, and city of Buena Vista*—Democrat. Born in Williamsville, Va., April 30, 1890; educated in Williamsville public school; funeral director; married Mamie Iva McLaughlin (deceased); married Adah Woodward Wood November 15, 1942; member: Presbyterian Church (elder), Masons, Odd Fellows, Knights of Pythias, Rotary, Bath County Board of Supervisors, Virginia Funeral Directors' Asso-

Digitized by Google

ciation (past president), League of Virginia Counties (past president), and formerly Bath County School Board. Member of Senate: 1940-42; member of House: 1944—.

McCANDLISH, ROBERT JOHN, JR., Fairfax, Va.—*Fairfax County*—Democrat. Born at Hancock, Maryland, March 8, 1909; educated at University of Maryland, A.B., and George Washington University, LL.B.; lawyer; married Josephine Meredith Sutton; World War II Veteran (Lt., U.S.N.R.); member of Episcopal Church. Member of House: 1942-45; 1948—.

McCUE, EDWARD O., JR., Ivy Road, Charlottesville, Va.—*Albemarle and Greene Counties, and city of Charlottesville*—Democrat. Born in Charlottesville, Va., May 11, 1901; educated at Jefferson School for Boys, Charlottesville High School, and University of Virginia, LL.B.; lawyer, businessman and farmer; married Isabel Chamberlain Cochran; member: Episcopal Church, Delta Tau Delta, B.P.O. Elks, Redland Club, and Farmington Country Club. Member of House: 1934—.

McMURRAN, LEWIS ARCHER, JR., Newport News, Va.—*Warwick County and city of Newport News*—Democrat. Born in Newport News, Va., April 11, 1914; educated at Washington and Lee University; real estate and transportation; not married; World War II Veteran (Lt. Commander U.S.N.R.); member: Presbyterian Church, James River Country Club, local Chamber of Commerce (director), city Democratic Committee (former chairman), member Peninsula Industrial Committee; secretary-treasurer, Citizens Rapid

Digitized by Google

Transit Company (member of board); secretary, Bank of Warwick (member of board). Member of House: 1948—.

McRAE, JOHN SOLOMON, South Boston, Va.—*Halifax County*—Democrat. Born in Maxton, N. C., September 7, 1898; educated at Maxton High School and Bowman's Commercial College of Petersburg, Va.; insurance and real estate agent, banker, and farmer; married Bela Powell; member: Presbyterian Church, Lions, and Sportsman's Club. Member of House: 1948—.

MAGRUDER, JAMES MAYNARD, 1605 N. Danville Street, Arlington, Va.—*Arlington County*—Democrat. Born in Washington, D. C., February 9, 1900; educated at Washington, D. C., Business High School, University of Maryland, and Georgetown University Law School; realtor and insurance agent; married Elizabeth Rita St. John; World War I Veteran; member: Catholic Church, American Legion, Arlington Lions Club (past president), Deputy Governor District 24-V Lion Clubs of Virginia, Arlington Democratic Executive Committee (chairman), Arlington County Democratic Club (past president), Washington Golf and Country Club, and Public Utilities Commission of Arlington (former chairman and secretary). Member of House: 1944—.

MASSENBURG, GEORGE ALVIN, Hampton, Va.—*Elizabeth City County and city of Hampton*—Democrat. Born in Hampton, Va., September 19, 1894; educated in public schools; Virginia pilot; married Carrie Wood; member: Methodist Church, Coast Guard League, State Port Authority, State Chamber of Commerce, Peninsula Chamber of Commerce, Norfolk Association of

Digitized by Google

Commerce, Hampton Yacht Club, Princess Anne Golf and Country Club, Propeller Clubs of Norfolk and Newport News, Rotary Club, Masons, Shrine, B.P.O. Elks, Eagles, and Improved Order of Red Men; Director of Hampton Roads Maritime Exchange, chairman of Chesapeake Bay Survey Committee, President, Virginia Pilot Association, and Captain U.S. Coast Guard Reserve (T). Member of House: 1926—.

MASSIE, GEORGE EDMOND, P. O. Box 1837, Richmond, Va.—*Richmond City*—Democrat. Born at "Edgewood", Hanover County, Va., March 16, 1883; educated in Richmond public schools and Richmond College; printer; married Marylou Rhodes, deceased; member: Methodist Church Kiwanis (past president), Richmond Printers Association (past president), Richmond Chamber of Commerce, Richmond Safety Council, Richmond City Council, 1922-26, and Richmond School Board (10 years, retiring 1942); president and treasurer of Garrett & Massie, Inc., Printers and Publishers. Member of House: 1944—.

MAYES, JOSEPH GREENAWAY, Stony Creek, Va.—*Greensville and Sussex Counties*—Democrat. Born at Stony Creek, Va., August 12, 1918; educated at Stony Creek High School and Hampden-Sydney College, B.S.; merchant, farmer; married Dorothy Elizabeth Robbins; member: Baptist Church, Ruritans, Theta Chi, and Omicron Delta Kappa. Member of House: 1946—.

MINTER, WILLIAM MARVIN, Mathews, Va.—*Thirty-second Senatorial District*—Democrat. Born at Bohannon, Mathews County, Va., November 23, 1886; educated in public and private schools, and William and Mary College; lawyer; married

Digitized by Google

Eva M. Armistead; World War I Veteran (Aug. 1917-Dec. 1918, Lt. of Infantry); member: Methodist Church, American Legion (former commander), Rotary (former president), Ruritans, Virginia State Bar Association (former vice president), and American Bar Association. Former member of council and executive committee of Virginia State Bar, and Commonwealth's attorney of Mathews County. Member of Senate: 1944—.

MONCURE, FRANK P., Stafford, Va.—*Prince William and Stafford Counties*—Democrat. Born in Fairfax, November 5, 1889; educated at College of William and Mary and Georgetown University; lawyer; married Frances E. de Lashmutt; member: Episcopal Church, John A. LeJeune Lodge A.F.&A.M., Quantico, Va., B.P.O. Elks, Kappa Alpha. Commonwealth's attorney Stafford County, 1920-27, inclusive. Member of House: 1936-38; 1944—.

MOORE, E. BLACKBURN, Berryville, Va.—*Clarke and Frederick Counties, and city of Winchester*—Democrat. Born in Washington, D. C., April 26, 1897; educated at Davidson College and Cornell University; fruit grower, farmer, and banker; married Dorothy Parker Moore; member: Presbyterian Church, Rotary Club, and Winchester Chamber of Commerce. Member of House: 1933—.

MOORE, LINDSEY LEE, Ringgold, Va.—*Pittsylvania County*—Democrat. Born in Ringgold, Va., April 26, 1897; educated at Washington and Lee University; lawyer, live stock breeder, farmer; not married; World War I Veteran (1st Lieutenant); member: Baptist Church, American

Digitized by Google

Legion, Veterans of Foreign Wars, Phi Kappa Sigma, Phi Delta Phi, Sigma, Omicron Delta Kappa; vice-chairman, Democratic Executive Committee, Pittsylvania County. Member of House: Ex. 1945—.

MOSES, CHAS. T., Appomattox, Va.—*Eleventh Senatorial District*—Democrat. Born in Appomattox County, Va., June 27, 1897; educated in public schools and Appomattox High School; automobile dealer; married Mary Virginia Godwin; member, Methodist Church. Member of Senate: 1936—.

MURPHY, WILLIAM TAYLOE, Warsaw, Va.—*Lancaster and Richmond Counties*—Democrat. Born at Mt. Holly, Westmoreland County, Va., May 6, 1901; educated at Alexandria High School and College of William and Mary; farmer and banker; married Katherine Bradford Griffith; member: Episcopal Church, Pi Kappa Alpha, Rotary, and Ruritans; president, Northern Neck State Bank, Warsaw, Va.; former Treasurer of Virginia. Member of House: 1940-42; 1948—.

MURRAY, WALTER HOWARD CLARKE, Richmond, Va.—*Richmond City*—Democrat. Born in Richmond, Va., November 1, 1911; educated in public schools; printer; married Josie Alma Thomas; member: Baptist Church, Owls; president of Central Trades and Labor Council, Richmond. Member of House: 1948—.

NOLAND, LLOYD USILTON, Newport News, Va.—*Thirty-third Senatorial District*—Democrat. Born in Hainesville, Kent County, Maryland, July 17, 1885; educated in public schools and McDonough School, Baltimore; chairman of the board of

Digitized by Google

Noland Company, Inc., Richmond Hotels, Inc., Virginia Engineering Co., Tidewater Construction Corporation, Maryland Sanitary Manufacturing Corporation, Biggs Antique Company, Inc., and others; owner of Hotel Chamberlin; married Rena Judson Schofield; member: Methodist Church, James River Country Club, Newport News, Commonwealth Club, Richmond, Virginia Chamber of Commerce (past president), Peninsula Association of Commerce (past president), and Rotary (past president). Member of Senate: 1944—.

NORRIS, ROBERT O., JR., Lively, Va.—*Thirtieth Senatorial District*—Democrat. Born in Lively, Lancaster County, Va., November 4, 1882; educated at Randolph-Macon Academy and University of Richmond; lawyer; married Lelia Claybrook; contributes to the Baptist Church; member: Kappa Sigma, Masons, Royal Arch and Blue Lodge, and Modern Woodmen, Virginia State Bar Association (president in 1940). President *pro tempore* of the Senate. Member of House: 1912-28; member of Senate: 1928-44, Ex. 1945—.

PAGE, WALTER AUBREY, Norfolk, Va.—*Norfolk City*—Democrat. Born in Norfolk, Va., April 24, 1917; educated at Washington and Lee University and University of Virginia, LL.B.; lawyer; not married; World War II Veteran (Lt. U.S.N.R.); member: Episcopal Church, Elks, American Legion, Veterans Foreign Wars, American, State, and Norfolk and Portsmouth Bar Associations, Junior Chamber of Commerce, Young Democratic Club. Member of House: 1948—.

Digitized by Google

PERROW, MOSBY GARLAND, JR., Lynchburg, Va.—*Twelfth Senatorial District*—Democrat. Born in Lynchburg, Va., March 5, 1909; educated at Washington and Lee University, A.B., and Duke University, LL.B.; lawyer; married Katherine Duane Wingfield; member: Methodist Church, Kiwanis, Elks, T.P.A., Omicron Delta Kappa, Kappa Sigma, Phi Delta Phi, Junior Chamber of Commerce, Lynchburg, Virginia, and American Bar Associations, and Lynchburg School Board. Vice president of Depositors Bank. Member of Senate: 1944—.

PHILLIPS, CHARLES HOMER, Mutual Building, Richmond, Va.—*Richmond City*—Democrat. Born in Richmond, Va., June 29, 1890; educated in public schools, Washington and Lee University, and Babsons Institute; real estate broker and developer; married Julia Elizabeth Omohundro; World War I Veteran (Lt., U.S.N.R.); member: Episcopal Church, Rotary, American Legion, Masons, Shrine, Legion of Honor, Virginia State and Richmond Chambers of Commerce, Sons of Confederate Veterans, Virginia Boat Club, Phi Gamma Delta, and War Dads. Member of House, 1946—.

PITTS, BENJAMIN THOMAS, Fredericksburg, Va.—*Twenty-seventh Senatorial District*—Democrat. Born in Fredericksburg, Va., January 21, 1890; educated in Fredericksburg public schools, Wissner Private School, and International Correspondence School; theatre owner, manager, and executive; not married; member: Baptist Church, Kiwanis, Elks, Mansfield Hall Country Club, Commonwealth Club of Richmond, city council, Virginia State Port Authority (treasure), board of trustees of Fork Union Military

Digitized by Google

Academy, and Chamber of Commerce (president for 5 years). Vice president of The Motion Picture Theater Owners of Virginia; member of executive committee of The Theater Owners of America, Inc.; and director of Farmers and Merchants State Bank, Fredericksburg. Member of Senate: 1944—.

POOLE, ROBERT KYLE, Wytheville, Va.—*Wythe County*—Republican. Born in Independence, Va., June 10, 1888; educated in Virginia and North Carolina schools; farmer and automobile dealer; married Mattie Virginia Poole; member: Methodist Church and Chamber of Commerce. Member of House: 1948—.

POPE, SAMUEL ELIBA, Drewryville, Va.—*Southampton County*—Democrat. Born in Southampton County, Va., May 18, 1905; educated at Drewryville High School, Randolph-Macon College, A.B., Virginia Polytechnic Institute (graduate student); farmer; married Sara Holt White; member: Methodist Church, Masons, Kappa Alpha, Ruritans; director of Southampton County Bank. Member of House: 1946—.

PURCELL, HAROLD HIDMORE, Palmyra, Va.—*Fluvanna, Goochland and Louisa Counties*—Democrat. Born in Louisa, Va., February 7, 1920; educated at Louisa High School, Augusta Military Academy, and University of Virginia, LL.B.; lawyer; married Virginia Blanche Omohundro; World War II Veteran (Captain in Infantry); member: Christian Church, Masons, Sigma Phi Epsilon, Theta Delta Phi, and Junior Chamber of Commerce. Member of House: 1948—.

RADFORD, DUVAL, Bedford, Va.—*Bedford County*—Democrat. Born in Forest, Va., January 26,

Digitized by Google

1908; educated at Virginia Episcopal High School, Washington and Lee University, B.A., George Washington University, and National University, LL.B.; lawyer and farmer; married Katherine Chamberlain Hyatt; World War II Veteran (Lt., U.S.N.R.); member: Episcopal Church, American Legion, Veterans Foreign Wars, Lions, and Boonsboro and Oakwood Country Clubs; president, Young Democratic Clubs of Virginia. Member of House: 1948—.

RICHARDSON, ARTHUR HARRIS, Dinwiddie, Va.—*Dinwiddie County*—Democrat. Born at Dinwiddie, Va., August 24, 1899; educated at Dinwiddie High School, Randolph-Macon Academy, and Randolph-Macon College; lumber dealer; married Nora Chambliss Edmunds; World War I Veteran; member: Methodist Church, Masons, B.P.O.E. Club, Kappa Alpha, American Legion (past commander), Young Democratic Club of Dinwiddie (past president). Member of House: 1946—.

RICHESON, FRANK ST. CLAIR, Box 563, Richmond, Va.—*Thirty-fifth Senatorial District*—Democrat. Born in Richmond, Va., May 11, 1889; educated in public schools, Randolph-Macon Academy, and Randolph-Macon College; realtor; married Lena Eldridge; member: Methodist Church, Phi Kappa Sigma, Civitans (president of Richmond Club), firm of H. T. Richeson & Co., Richmond Real Estate Exchange (vice president), board of trustees, Methodist Orphanage, Ferrum Junior College, and Methodist Home for the Aged, board of directors, Richmond Y. M. C.A., and Atlantic Rural Exposition; former member, Board of Alderman of the city of Richmond. Member of Senate: 1948—.

Digitized by Google

ROBERTS, JAMES WALKER, Norfolk, Va.—*Norfolk City*—Democrat. Born in Alexandria, Va., December 2, 1891; educated at Friends (High) School, Washington, D. C.; vice president and general manager of The Henry B. Gilpin Company, wholesale druggists; married Elsie Palmer Brown; World War I Veteran (Captain, Field Artillery, 315 Reg. F.A., 80 Div., Blue Ridge); Lt. Colonel, commanded 1st Bn. Va. State Guard, 1942-1946; member: Society of Friends, attends Baptist Church, Lions (past president and past deputy District Governor), Lay Board De Paul Hospital, Norfolk, Norfolk Association of Commerce (director), American Legion Post No. 35, Tidewater Auto Association (director); awarded Norfolk First Citizen Cosmopolitan Club Medal 1943. Member of House: 1948—.

ROBERTSON, ERNEST, Salem, Va.—*Roanoke County*—Democrat. Born in Salem, Va., April 3, 1915; educated at Salem High School, Roanoke College and University of Virginia Extension; salesman; not married; World War II Veteran, A.A.F. (commendation in Air Forces, meritorious Award of Service); member: Methodist Church, American Legion, Veterans Foreign Wars, Lions, United Commercial Travelers. Member of House: 1948—.

ROBERTSON, JAMES MOODY, Norfolk, Va.—*Norfolk City*—Democrat. Born in Norfolk, Va., December 26, 1907; educated at College of William and Mary, B.S., 1929, and University of Virginia, LL.B., 1933; lawyer; not married; World War II Veteran (U.S.N.R.); member: Baptist Church, Masons, Elks, Phi Beta Kappa, Sigma Alpha Epsilon, Phi Delta Phi, Ravens. Member of House: 1940-42; 1948—.

Digitized by Google

ROBINETTE, LLOYD MILEHAM, Jonesville, Va.—*Sixteenth Senatorial District*—Democrat. Born at Blackwater, Virginia, March 26, 1881; educated in public schools, Jonesville Academy, Roanoke College, A.B., 1906, and University of Virginia, LL.B., 1909; instructor in law, University of Virginia, 1909-11; lawyer; not married; member: Order of the Coif, Phi Alpha Delta (Law), William E. Jones Camp, Sons of Confederate Veterans (commander), Civil Legion, and Masons, McPherson Lodge No. 99, A.F.& A.M.; Commonwealth's attorney for Lee County 1921-24; member, Virginia Legislative Advisory Council, 1940-42. Member of Senate: 1932—.

RODGERS, SAMUEL DAGNELL, Petersburg, Va.—*Petersburg City*—Democrat. Born in Hampden-Sydney, Va., August 10, 1874; educated at Hampden-Sydney College; historian and newspaper work; married Elizabeth James Barksdale; member: Presbyterian Church (elder), Masons, past district deputy grand master, district No. 29, past master, Petersburg Lodge No. 15, A.F. & A.M., Petersburg Union Royal Arch Chapter No. 7, Appomattox Commandery, No. 6 Knights Templar, Shrine (Acca Temple), I.O.O.F. (past grand master, of Virginia), and Sons of Confederate Veterans (past division commander), Staff of General Homer Atkinson, Commander in Chief U.C.V., with rank of brigadier general; in hospital relief work during World War I, and business manager of *The Bayonet*, Camp Lee Weekly paper during World War I; author of "The Siege of Petersburg, 1864-65"; collated material for "Petersburg in the World War"; assisted in compiling Virginia World War History; and author of other historical writings;

Digitized by Google

vice-chairman of Virginia World War II History Commission. Member of House: 1920—.

RUTHERFOORD, JULIAN HAMILTON, JR., Roanoke, Va.—*Roanoke City*—Democrat. Born in Roanoke, Va., December 12, 1912; educated at Jefferson High School (Roanoke), Chesapeake School, and Roanoke College; insurance agent, Rutherfoord Insurance Agency; married Mary Stone Moore; World War II Veteran (Lt., U.S.N.R., commanding officer of U.S.S.L.S.T. 616); member: Episcopal Church, American Legion, Junior Chamber of Commerce, Business Men's Club, Roanoke Country Club, Roanoke German Club, Shenandoah Club, Sigma Chi, Touchdown Club. Member of House: 1948—.

SIMPSON, BASIL POFF, Check, Va.—*Carroll and Floyd Counties*—Republican. Born in Check, Va., March 24, 1918; educated at Roanoke College, B.S.; commercial canner; married Alice Elizabeth Falls; World War II Veteran (Captain U.S.A.); member of Lutheran Church. Member of House: 1948—.

SINGLETON, ALMER REEN, Clintwood, Va.—*Dickenson and Buchanan Counties*—Democrat. Born at Tarpon, Dickenson County, Va., November 27, 1895; educated in Russell County graded schools; commissioner of revenue; married Erie Bell Sykes; member of Baptist Church. Member of House: 1944—.

SINGLETON, HAROLD BROWN, Madison Heights, Va.—*Amherst County and city of Lynchburg*—Democrat. Born in Bedford County, Va., April 19, 1906; educated in Bedford County schools, E. C. Glass High School (Lynchburg), Lynch-

Digitized by Google

burg College, A.B., studied law privately; lawyer; married Katherine Cecilia Lacy; member: Baptist Church, Lynchburg Lions Club, Elks, I.O.O.F., Lynchburg Bar Association, Virginia State Bar Association, Amherst County Young Democratic Club (past president), Young Democratic Clubs of the Seventh District (vice-chairman), Tau Kappa Alpha, Sigma Tau Delta. Member of House: 1942—.

SLAUGHTER, DANIEL FRENCH, Mitchells, Va.—*Culpeper and Rappahannock Counties*—Democrat. Born at Mitchells, Va., February 20, 1900; educated at the University of Virginia; dairy farmer; married Caroline Nelson Strother; member: Presbyterian Church, Lions Club of Culpeper, Chamber of Commerce, and State Democratic Committee, 8th District of Virginia. Member of House: 1944—.

SMITH, JAMES MARION, Pennington Gap, Route No. 2, Va.—*Lee County*—Republican. Born near St. Charles, Lee County, Va., October 26, 1880; educated in Lee County public schools, Black Mountain Academy, Evarts, Ky., Harlan Academy, Harlan, Ky., Cumberland College, Williamsburg, Ky., and Berea College, Berea, Ky.; farmer; married Ida Mae Nelms; member of Methodist Church; commissioner of revenue 4 years, county clerk of Lee County 16 years. Member of House: 1948—.

SMITH, VERNON C., Grundy, Va.—*Buchanan County*—Democrat. Born in Grundy, Va., June 28, 1892; educated at Grundy High School; Ford dealer; married Kathrine Margaret Whitley; member: Presbyterian Church, Masons, Sand Valley Lodge No. 17, Scottish Rite, Knights

Digitized by Google

Templar, and Shrine, Buchanan County Chamber of Commerce, and Democrat State Committee of Ninth Congressional District; president, Cumberland Bank & Trust Co., Grundy, Va. Member of House: 1938—.

STEPHENS, A. E. S., Smithfield, Va.—*Fifth Senatorial District*—Democrat. Born in Wicomico Church, Northumberland County, Va., November 4, 1900; educated at College of William and Mary; lawyer; married Anna Spratley Delk; member: Episcopal Church and Ruritan Club. Member of House: 1930-40; member of Senate: 1942—.

STICKLEY, JAMES O., Harrisonburg, Va.—*Rockingham County and city of Harrisonburg*—Democrat. Born in Rockingham County, Va., September 2, 1869; educated in county schools; merchant and farmer; married Roberta Turner Tyler (deceased); member: Presbyterian Church, Harrisonburg City Council for twenty-two years; chairman of city of Harrisonburg Zoning Appeals Board since its beginning in 1939; director of National Bank of Harrisonburg since its organization in 1908, and president since 1939; formerly president of local Mutual Fire Insurance Company for forty-five years. Member of House: 1946—.

STUART, HARRY CARTER, Elk Garden, Va.—*Eighteenth Senatorial District*—Democrat. Born in Abingdon, Va., July 4, 1893; educated at Cluster Springs Academy, South Boston, Hampden-Sydney College and Virginia Military Institute; live stock dealer and farmer; married Marion Lee Cobbs; World War I Veteran (322d Inf., 81st Division [Wildcat], overseas, July 1918

Digitized by Google

to June 1919, in Saint Die defensive sector and Meuse-Argonne offensive); member: Methodist Church (steward), Kappa Sigma, board of visitors, V.P.I.; chairman, Russell County Red Cross Roll Call Drive, 1937-1945; home service chairman, American Red Cross, Russell County 1940-1945; delegate to National Democratic Convention, 1936. Member of Senate: 1940—.

SWANSON, SAMUEL W., Swansonville, Callands, Va. —*Pittsylvania County*—Democrat. Born at Glen Alum, W. Va., January 4, 1914; educated at Callands High School, Emory and Henry College, Cumberland University, Tennessee, LL.B.; farmer and lumber dealer; married Ruth Gatewood; member: Methodist Church and Gamma Theta Epsilon. Member of House: 1944—.

TALIAFERRO, GEORGE WALTON, Harrisonburg, Va. —*Rockingham County and city of Harrisonburg*—Republican. Born in Harrisonburg, Va., July 20, 1896; educated in Harrisonburg public schools, Randolph-Macon Academy, Washington and Lee University, LL.B.; real estate and insurance agent; married Mary Lou Hollis; World War I Veteran; member: Methodist Church, Masons, and Phi Kappa Sigma; former city councilman. Member of House: 1946—.

TAYLOR, CECIL WOOD, Lynchburg, Va.—*Lynchburg City*—Democrat. Born in Lynchburg, Va., December 5, 1917; educated in public schools and Washington and Lee University, B.A. 1939, LL.B. 1941; lawyer; married Lida Bell Goyer; World War II Veteran (Lt. [jg] U.S.N.R.); member: Presbyterian Church, Kiwanis, Alpha Tau Omega, Phi Delta Phi, Omicron Delta Kappa, Junior Chamber of Commerce, Reserve

Digitized by Google

Officers of the Naval Services, Lynchburg Bar Association, Oakwood Country Club. Member of House: 1948—.

TRIPLETT, L. LAKE, Marshall, Va.—*Fauquier County*—Democrat. Born in Markham, Va., December 1, 1886; educated at Wake Forest College, N. C.; farmer: married Sadie W. Miller; member: Fauquier Club and Masons; former president of the Warrenton Production Credit Association; former director of the National Farm Loan Association of Fauquier County; and former member of the board of supervisors of Fauquier County. Member of House: 1936—.

UNRUH, CHARLES FRANCIS, Kinsale, Va.—*King George, Northumberland, and Westmoreland Counties*—Democrat. Born at Tucker Hill, Va., April 19, 1895; educated in public schools; sales agent, canned food broker, canner, and farmer; married (secondly) Alice Brooke Latané; member: Episcopal Church, Masons (past grand high priest of the Grand Royal Arch Chapter of Virginia), Rotary, and Ruritans (past national president). Member of House: 1944—.

VADEN, ROBERT C., Gretna, Va.—*Thirteenth Senatorial District*—Democrat. Born in Pittsylvania County, Virginia, October 5, 1882; educated in public schools and Richmond University; industrialist, farmer and banker; married Kate Smith Paris; member: Baptist Church, Phi Kappa Sigma, Masons, Blue Lodge, Royal Arch, and Shrine, Gretna Chamber of Commerce, State Chamber of Commerce, and Jr.O.U.A.M. (honorary member). Mayor of Gretna, 16 years, and vice president, Peoples Bank of Gretna. Member of Senate: 1933—.

Digitized by Google

WAILES, I. PAUL, Amherst, Va.—*Fourth Senatorial District*—Democrat. Born in Nelson County, Va., September 14, 1896; educated in public and private schools of Amherst County; engaged in the shoe business; married Hester Harrison Scott; member: Presbyterian Church (deacon), United Commercial Travelers, and Masons. Member of Senate: 1940—.

WALDROP, CHARLES MONTGOMERY, Mannboro, Va.—*Amelia and Nottoway Counties*—Democrat. Born in Hanover County, Va., February 4, 1884; educated in Hanover County public schools; farmer and operator of lumber business; married Iola Holman; member: Baptist Church, Ruritans, Masons, Blue Lodge, and Democratic Committee of Amelia County. Member of House: 1932-34; 1940—.

WALTON, THEODORE GARNETT, Norfolk, Va.—*Norfolk County and city of South Norfolk*—Democrat. Born at Great Bridge, Va., February 5, 1900; educated at Great Bridge High School and William and Mary College; assistant yardmaster, N. & W. Railway; married Evelyne Byrd Moss; member: Episcopal Church, Masons, John Walters Royal Arch Chapter, and Pi Kappa Alpha. Member of House: 1944—.

WARREN, GEORGE MARVIN, Bristol, Va.—*Fifteenth Senatorial District.*—Democrat. Born in Emory, Va., May 6, 1879; educated at Emory and Henry College, B.A.; and University of Virginia; lawyer; married Ruba Litton; member: Presbyterian Church, Elks, and Masons; mayor of Bristol, Va., for 12 years. Member of House: 1927-30, 1940-47; member of Senate: 1948—.

Digitized by Google

WHITEHEAD, ROBERT, Lovingston, Va.—*Nelson and Amherst Counties*—Democrat. Born in Lovingston, Va., September 21, 1897; educated at Lynchburg High School and University of Virginia, LL.B.; lawyer; married Sallie Carter; World War I Veteran, Officers' Training Camp, Camp Lee, Va.; member: Episcopal Church, Raven Society (University of Virginia); Commonwealth's attorney of Nelson County, 1933-41; Democrat Elector, 7th Virginia District, 1936. Member of House: 1942—.

WILLIAMS, JOSEPH JUDSON, JR., Sandston, Va.—*Henrico County*—Democrat. Born at Cold Harbor, Hanover County, Va., July 20, 1905; educated at University of Richmond, B.A., LL.B.; lawyer; married Nellie Hoover; member: Christian Church, Virginia Commission for the Blind, Masons, Acca Temple Shrine, Odd Fellows, and Elks; director, Franklin Federal Savings and Loan Association of Richmond. Member of House: 1938—.

WITTEN, DR. JACK W., North Tazewell, Va.—*Tazewell County*—Democrat. Born in Tazewell, Va., August 7, 1880; educated at Tazewell College, A.B., and Medical College of Virginia, M.D.; physician; single; member: Christian Church, A.E.F., Masons, Elks, and Phi Beta Pi, American Legion, and Veterans Foreign Wars. Member of House: 1924-34; member of Senate: 1936-38; member of House: 1944—.

WYATT, LANDON RUSSELL, Danville, Va.—*City of Danville*—Democrat. Born at Callands, Va., January 1, 1891; educated at Grady grade school and Danville Commercial College; automobile dealer; married Mary Beulah Hundley;

Digitized by Google

member: Baptist Church, Kiwanis Club (past president), Virginia Chamber of Commerce (past president), Y.M.C.A. (past president), Retail Merchants Association, and board of directors of the Virginia Tuberculosis Association; chairman of finance committee, city council, eight years; trustee of Averette College and Hargrave Military Academy; director of Dan River and Riverside Cotton Mills, Inc., Danville Baseball Club, American Automobile Society, and Danville Tuberculosis Board; president, Danville Fair Association, Piedmont Hardware Company, Danville Parts and Body Mfg. Co., Drinkard-Payne Motor Co., and Wyatt Buick Sales Co.; vice president, Union Mutual Bldg. and Loan Association, Piedmont Broadcasting Corp., Danville Livestock Auction Market, and Radio Station WBTM; and secretary-treasurer, Danville Buick Mfg. Co. Elected as Danville First Citizen, 1939. Member of House: 1944—.

YATES, ELWOOD FLOYD, Powhatan, Va.—*Chesterfield and Powhatan Counties*—Democrat. Born at Holdcroft, Charles City County, Va., March 18, 1903; educated in Charles City public schools; farmer and automobile dealer; married Mary Ellen Bowles; member: Methodist Church, Ruritan Club, Masons, Izaak Walton League, and Democratic County Committee (chairman). Member of House: 1940—.

Digitized by Google

Digitized by Google

References to Code and Acts

Digitized by Google

Digitized by Google

REFERENCES TO THE CODE AND ACTS CONCERNING THE GENERAL ASSEMBLY AND ITS MEMBERS

NOTE: Section numbers in Michie's 1942 Code and Supplements are used, and dates of acts are shown if enacted since the 1919 Code, for convenience of members of the General Assembly. (See "General Assembly" in Index of Constitution, also Index to Rules of House and Index to Rules of Senate, in Manual.)

Acts of General Assembly

Effective date, except general appropriation act and emergency acts, ninety days after adjournment, sine die (e. g., adjournment, March 22, acts become effective on and after midnight of June 20, and are effective on and after 12:00 A. M., plus, of June 21). Appropriation act and emergency acts, effective from their passage unless otherwise stated. Date of approval by Governor, or when act becomes law without his approval, noted in publication next after title. Date of adjournment certified and printed next after last act in each volume. Section 4. (Customarily it is provided in the general appropriation act that it become effective the ensuing July 1st.)

Evidence in court, also resolutions, without special pleading. Section 6190.

Fees for copies. Section 3478.

Printing and distribution by Division of Purchase and Printing.

Two copies to each member (not bound), five bound copies with index and tables required by law (1938 Act). Section 390.

Digitized by Google

For other distribution, see Section 390.
Copy for justice or other county or city officer, how supplied (1938 Act). Section 391.

Adjournment

Date certified next after last act. Section 4. (Regular session, 60 days, may be extended not exceeding 30 days; extra session, pay limited to 30 days, Const., Section 46.)

Advisory Legislative Council, Virginia

See under Statutory Research and Drafting Division.

Annual Reports

Copy to each member, distribution to others (1942 Act). Section 394.

Apportionment

House of Delegates, districts (79), members (100) elected Tuesday succeeding first Monday in November in odd years, districts and number for each (1942 Act). Section 78.
Senatorial districts (36), members (40), cities of second class deemed parts of counties and so included (1942 Act). Section 79.
Senators elected Tuesday after first Monday in November, 1919, and every four years thereafter, for term of four years to begin on second Wednesday in January succeeding their election. Section 80.

Auditing Committee

Two members of Senate, appointed by President, and three members of House, ap-

Digitized by Google

pointed by Speaker, to annually examine books and accounts of the State Comptroller, the State Treasurer, Secretary of the Commonwealth, and other executive officers at seat of government pertaining to auditing or accounting for State revenue. Report to Governor published in two newspapers of general circulation in the State. Sits during recess. Members receive per diem for actual number of days employed and expenses in attending meetings. Power to employ expert accountants. Section 311.

Bills, Calendars, Resolutions

Division of Purchase and Printing will sell (1938 Act). Section 387.

Cost, $15.00 in advance for each session and postage (1938 Act). Section 388.

Exceptions as to charges (1940 Act). Section 389.

Bills and Joint Resolutions

Printing in octavo form 250 copies or more if necessary, spacing by printer (1938 Act). Section 386.

Bills or Resolutions

Drafting, see Statutory Research and Drafting. Section 579.

Bills or Resolutions, or Amendments (Pending), or Any Enrolled Bill

Alteration, secretion, or destruction, directly or indirectly, confinement in penitentiary not less than one nor more than five years. Section 310.

Digitized by Google

Bonuses

Not to be granted to certain employees, whose salaries fixed in (1946 Act), Sections 3457-3462, and (1928 Act) Section 3462a: assistant clerks, journal and reading clerks, enrolling and engrossing clerks, committee clerks and joint committee clerks, sergeant at arms, doorkeepers, pages.

Budget

Auditor, financial statements of State Comptroller, on or before Nov. 1st, odd years. Section 2577c.

Bill, submitted to presiding officers of each house, "The Budget Bill" (tentative). Section 2577h.

Changes by General Assembly, increase or decrease items, further or special appropriation as emergency, in separate bill considered after final action on budget bill, to be itemized with classifications used in budget. Section 2577j.

Committee consideration, joint hearing to begin within 5 days after submission. Section 2577i.

Director, assistants. Governor as Chief budget officer appoints (1922 Act). Section 2577k.

Estimates for legislature and judiciary by State Comptroller, on or before Dec. 1st, odd years. Section 2577b.

Estimates by officers and institutions, on or before Nov. 1st, odd years. Section 2577a.

Governor, financial survey by, on or before Dec. 1st, odd years. Section 2577f.

Public hearings in November, odd years. Section 2577e.

Digitized by Google

Reports by officers and institutions to Governor, upon request. Section 2577d.
Submission to presiding officers of each house within 5 days after beginning of regular session. Section 2577g.

Clerk of House

Duties, prescribed by Rules of the House, also shall index House Journal and Documents, cause to be printed with acts and joint resolutions as are not of a purely procedural nature, tables showing time for commencement of regular terms of Supreme Court of Appeals, circuit, corporation, and city courts, polling places in counties, names of magisterial districts, names or numbers of wards in cities, commissioners in other States appointed by the Governor, and index of Acts and joint resolutions prepared by him. He shall publish as prescribed by Constitution, proposed amendments. Compliance by the Clerk of the House conclusive evidence of publication required by Constitution. Clerk of the House shall also cause to be published monthly for three consecutive months in one daily newspaper published in the city of Richmond all proposed amendments, as provided in the Constitution. Costs certified by Clerk of the House, who reports to the next succeeding General Assembly. (1946 Act). Section 306.
Bills, original, as offered in House to be kept by Clerk of House until close of session next succeeding session at which they were offered and then may be destroyed. Section 309.
Books and maps belonging to standing committees to be kept during recess, delivered

Digitized by Google

to clerks and chairmen, and returned to Clerk of the House at end of session. Section 309.

Keeper of the Rolls, shall have Acts and joint resolutions proposing amendments to the Constitution, enrolled, and after examination by committee on enrolled bills, signed by President of the Senate and Speaker of the House of Delegates, bound in durable style. He shall have custody of the Acts and resolutions of the General Assembly, and records and papers of the House of Delegates, copies of which certified by him shall be evidence for any purpose for which the original would be received, and with as much effect. He shall prepare every act for publication and furnish to Director of the Division of Purchase and Printing manuscript of all acts and joint resolutions proposing amendments to the Constitution, and such other joint resolutions as are not of a purely procedural nature, or copy thereof, for printing. He shall furnish index and tables required by law, and superintend publication in connection with Director of the Division of Purchase and Printing. (1940 Act.) Section 307.

Vacancy during recess, how filled (1932 Act). Section 332. (See Const., Section 47).

Clerk of Senate

Duties, prescribed by Rules of the Senate, also

He shall prepare index to Journal of the Senate and the documents printed by its order and deliver the same to the Superintendent of Public Printing. Section 308.

Digitized by Google

Bills, original, as offered in Senate, to be kept by Clerk of Senate until close of session next succeeding session at which they were offered and then may be destroyed. Section 309.

Books and maps belonging to standing committees to be kept during recess, delivered to clerks and chairmen, and returned to Clerk of the Senate at end of session. Section 309.

Vacancy during recess, how filled (1932 Act). Section 332. (See Const., Section 47, also Senate Rule 7.)

Constitution, How Amended

Proposed in Senate or House of Delegates by resolution, spread at length on journal of house in which it is offered, and if agreed to by a majority of the members elected thereto with the ayes and noes taken thereon, communicated to the other house, where it shall be dealt with in like manner, and when so agreed to by both houses, enrolled and signed by the President of the Senate and Speaker of the House of Delegates. Such amendment or amendments shall thereupon stand referred to the General Assembly at its first regular session held after the next general election of the members of the House of Delegates, and shall be published for three months previous to the time of such election. If at such regular session the proposed amendment or amendments shall be agreed to by a majority vote of all the members elected to each house, the same shall be submitted to the people by a bill or resolution introduced for such purpose, and if the people shall approve

Digitized by Google

and ratify such amendment or amendments by the majority of the electors qualified to vote for the members of the General Assembly voting thereon, such amendment or amendments shall become a part of the Constitution. Section 312. (See Const., Sections 196, 197.) See also (1946 Act) Section 306 for posting.

Continuance in Court, Etc.

Officers or members as parties or attorneys during session and fifteen days before the session and thirty after adjournment (1940 Act). Section 298.

Court Proceedings

Immunity.

Civil, see Immunity, Civil, Section 297.

Criminal, see Immunity, Criminal, Sections 299, 300.

Words spoken or written, see Immunity, Words spoken or written, Section 302.

Doorkeepers

Salaries, first and second, and gallery, each house (1946 Act). Section 3461.

Drafting Bills

See Statutory Research and Drafting, Section 579.

Elections

Ballots

Name added when party nominee dies or withdraws after time for qualifying (1946 Act). Section 154a.

Name added after time for qualifying when qualified candidate dies or retires prior to primary; prescribing procedure, nominations (1942 Act). Section 246a.

Digitized by Google

Only one candidate declared nominee (1942 Act). Section 246.
Primaries—adding name when candidate dies thirty days or more before day of primary (1942 Act). Section 246b.
Board of Elections, State
Creation, powers transferred from Secretary of the Commonwealth and Board of State Canvassers (1946 Act). Section 83-a.
Powers and duties (1946 Act). Section 83-b.
Records for registration (1946 Act). Section 83-c.
Canvass of returns by State Electoral Board. Section 242.
(Canvass for Governor, Lieutenant Governor, and Attorney General, by the General Assembly, Const., Section 70.)
Contested
Notice, mode of, depositions before justice or notary, Clerk of House refers to committee. Section 260.
Notice, time of, list of votes disputed, objections, legality of election, eligibility of person elected, depositions. Section 259.
Petition to proper house, filing within ten days after meeting. Section 262.
Tie, writ of election ordered as in case of vacancy. Section 263.
Witnesses summoned by clerk of court. Section 261.
Declaration of candidacy (1942 Act). Section 229.
Expenditures, sworn statement (1942 Act). Section 253.
Notice of candidacy
At large or of a Congressional District. To State Board of Elections.

Digitized by Google

30 days before general election.
30 days before special election.
5 days after writ issued for special election in less than 35 days (1946 Act). Section 154.
Petition signed by 250 voters at large or Congressional district as case may be, affidavit of witness attached (1946 Act). Section 154.

General Assembly or county or city offices.
To county clerk or clerks of the county or counties, and to clerk or clerks of corporation courts of the city or cities whose electors vote for such office.
60 days before general election.
30 days before special election.
5 days after writ issued for special election in less than 35 days (1946 Act). Section 154.
Petition signed by 50 voters of city, county, or district (Senatorial or House), as the case may be, affidavit of witness attached (1946 Act). Section 154.

Party Primary Nominees
Chairman of party as to elections at large and local chairmen for other elections to give notice of candidacy certifying party nominees, and no further notice of candidacy or petition shall be required (1946 Act). Section 154.
(Within 7 days after nomination until July 1, 1948 (1946 Act). Section 220(43).
Until July 1, 1948, all candidates shall file notice of candidacy and petition,

Digitized by Google

if required by Section 154, within seven days after first Tuesday in April as case may be (1946 Act). Section 220(43).
Only one candidate declared nominee (1942 Act). Section 246.
Penalties, failure to make statement, misdemeanor. Section 233.
Plurality for nomination. Section 225.
Polls open and close
May 31-Oct. 1: 6.30 A.M.-6.30 P.M.
Oct. 1-May 31: 6.00 A.M.-6.00 P.M.
E.S.T. (1946 Act). Section 152.
Primaries
Ballot, adding name when candidate dies thirty days or more before day of primary (1942 Act). Section 246b.
Declaration of candidacy, qualification, official ballot (1942 Act). Section 229.
Declaration of Candidacy
At large or of a Congressional district.
File with chairman or chairmen of several committees of respective parties (1946 Act). Section 230.
90 days before primary (1942 Act). Section 229.
General Assembly or county or city offices.
File with chairman or chairmen of several committees of respective parties (1946 Act). Section 230.
60 days before primary (1942 Act). Section 229.
Petition of candidate for U. S. Senate, House of Representatives or for any State office, signed by 250, and for

Digitized by Google

General Assembly or any city or county office, signed by 50, voters qualified to vote for the candidate, with affidavit of witness attached, to be filed with the declaration of candidacy (1942 Act). Section 229.
Chairman or chairmen to furnish names to electoral boards to be printed on ballots, but failure to notify State Electoral Board shall not invalidate nomination (1946 Act). Section 230.
Notice of Nomination
Chairman of party as to elections at large and local chairmen for other elections to certify party nominees, and no further notice of candidacy or petition shall be required (1946 Act). Section 154.
Until July 1, 1948, party chairman or proper officer to certify to State Electoral Board names of party candidates within 7 days after nomination (1946 Act). Section 220(43).
Expenditures, sworn statement within 30 days after election, caucus, convention, or primary election (1942 Act). Section 253.
Expenses limited. Section 234.
Fees. (Section 249 repealed, 1942 Act).
Filing declaration with chairman of party committees (1946 Act). Section 230.
Influencing votes by money or otherwise. Section 235.
Judges and clerks, how appointed. Section 224.
Nomination to be by primary or otherwise, decided by duly constituted au-

Digitized by Google

thority of political party where office to be filled (1924 Act). Section 222.
Returns canvassed by State Board. Section 242.
Time first Tuesday in August next preceding general election. Section 223.
Pure elections
Certificate of, not to issue until statement and oath filed. Section 254.
Corrupt practices or bribery by candidates, to prevent. Section 251.
Expense, sworn statement to be filed within 30 days after primary, caucus, convention, or election, with State Board of Elections and duplicate with clerk of circuit court of county or corporation court of city of candidate's residence (1942 Act). Section 253.
Failure to file statement of expenses and oath, misdemeanor. Section 255.
Qualification and salary not until statement and oath filed. Section 256.
Returns canvassed by State Electoral Board. Section 242.
Time of general election, Tuesday after first Monday in November. Section 140.
Voters, qualification, citizen of U. S., 21, resident of State one year, county, city or town six months, precinct 30 days, next preceding election, registered, poll taxes paid, exceptions (1934 Act). Section 82.
Writs
Vacancies during recess or session (1938 Act). Section 81.

Extra Sessions

By signed application of two-third of members of both houses, Governor shall convene.

Digitized by Google

Section 296. (Governor may convene without application of members, Const., Section 73.)

Habeas Corpus

Writ, member must obey. Section 301.

Immunity

Civil proceedings, members, clerks, assistants, no judgment or decree during session unless by consent. No arrest or imprisonment under civil process during session, or fifteen days next before or after. Section 297. See Habeas Corpus, Section 301.

Criminal proceedings, members, clerks, assistants, arrest or imprisonment not during session or five days before or after, except for treason, felony, or breach of peace. Sections 299, 300. See Habeas Corpus, Section 301.

Words spoken or written, or proceedings, in either house, member, former member, from arrest or imprisonment. Each house has power over its members. Section 302.

Interstate Cooperation Committee

"Virginia Commission on Interstate Cooperation" established for cooperation between this and other states and units of government, as member of council of State governments. Standing committee of five members of Senate, which may include the Lieutenant Governor. Standing committee of five members of the House of Delegates. The Commission shall be composed of fifteen members, including the two standing committees and five officials of the State government named by the Governor, one of

Digitized by Google

whom shall be designated by him as chairman. The Governor, honorary member of the Commission. Commission shall establish committee to conduct conferences and formulate proposals for inter-governmental cooperation. State officials not members of Commission may be on this committee, but at least one member of Commission shall be on each committee. Commission may provide rules for committees, advisory boards, and for service of private citizens on such boards. Commission to report to Governor and General Assembly within fifteen days after convening of each regular legislative session. Members of Commission serve without compensation. Senate and House standing committees constitute the Senate and House Councils of the American Legislators' Association for this State (1936 Act). Section 311a.

Journals

Evidence in court, printed copies received same as original. Section 6191.

Printing and distribution superintended by Director of Purchase and Printing, requisition by Director of Budget for printing and binding with indexes (by clerks of Senate and House of Delegates), one bound copy to each member (1938 Act). Section 392.

Universities and colleges having law school, donations (1938 Act). Section 393.

Keeper of the Rolls

Fees for certified copies. Section 3478.

Lobbying

Authority, written, from employer to be filed (1938 Act). Section 312e.

Digitized by Google

Contingent compensation prohibited (1938 Act). Section 312d.

Employing paid agents, giving advance information of probable action to influence legislation, jail and fine. Section 4500.

Exceptions as to governmental agencies, newspapers, and publishers, officers or employees as such (1938 Act). Section 312h.

Exceptions, persons invited or permitted to appear before committee. Section 4501.

Expense, detailed sworn statement to be filed within 30 days after final adjournment (1938 Act). Section 312f.

Floor of either house, by invitation only (1938 Act). Section 312g.

Legislative counsel or legislative agent means any person employed to promote or oppose in any manner the passage of any legislation (1938 Act). Section 312a.

Legislative docket for registration, in office of Secretary of the Commonwealth (1938 Act). Section 312c.

Paying or receiving money to influence legislation, jail or fine. Section 4499.

Prosecution in court by Secretary of the Commonwealth on complaint of Attorney General or member of General Assembly (Ex. 1945 Act). Section 312i.

Punishment for violation not less than $50.00 nor more than $1,000.00, or not exceeding 12 months in jail, or both (Ex. 1945 Act). Section 312i.

Registration of legislative counsel or agents (1938 Act). Section 312b.

Digitized by Google

State supported institution not to spend or appropriate money for, except when information requested. Section 1098.

Mileage

Add or deduct, farther or nearer than courthouse. Section 3475.
Distances between Richmond and courthouses. Section 3474.
Members, officers, employees, recess committee members, ten cents per mile, nearest mail route (1919 Act). Section 3455.
Payment before going home. Section 3472.
Rate. Section 3473.

Oaths

Members, administered by Clerk, presiding officer, justice, or notary. Section 273.
Officers, as prescribed by rules (under Section 274). Section 273.
Witnesses, administered by Speaker, chairman of committee, or Clerk of House or clerk of committee. Section 304. See Testimony, Section 303.

Officers

Duties to be performed as required by their respective houses. Section 305.

Pages

Senate (7), House (14), salaries (1946 Act). Section 3462.

Printing

Joint standing committee to supervise and give directions, examine books of the office and investigate transactions of Division of

Digitized by Google

Purchase and Printing and report to General Assembly at each regular session (1938 Act). Section 401a.

Public Officers

Appointees by Governor, when confirmation refused, ineligible for reappointment during recess (1927 Act). Section 585 (94).

Qualifications of Members

Actual resident of district to be represented and qualified to vote for members of General Assembly, who ineligible. Const., Section 44.

Redistricting

See Apportionment, Sections 78, 79, 80.

Salaries

Assistant clerks, journal and reading clerks (1946 Act). Section 3457.

Committee clerks and joint committee clerks (1946 Act). Section 3459.

Doorkeepers (1946 Act). Section 3461.

Enrolling and engrossing clerks (1946 Act). Section 3458.

Members, members of legislative committees during recess (1926 Act). Section 3454.

Pages, 14 for House, 7 for Senate (1946 Act). Section 3462.

President of Senate, Speaker of House (1926 Act). Section 3454.

Sergeant at Arms (1946 Act). Section 3460.

Digitized by Google

Sessions

Duration: regular, 60 days, may be extended 30 days; extra, pay limited to 30 days, Const., Section 46.

Extra, See Extra Sessions. Section 296.

Regular sessions, second Wednesday in January in even years, Capitol at Richmond, may adjourn to any other place. By joint resolution may hold sessions in Restored Capitol at Williamsburg. (1934 Act). Section 294. Governor may proclaim meeting place in certain cases of emergency. Section 295.

Statutes

Acts and resolutions received as evidence without special pleading. Section 6190.

Statutory Research and Drafting, Division

Assistants, draftsmen and clerks, appointment and fixing compensation by director, approval of Governor (1930 Act). Section 574.

Bills and resolutions, written request for drafting, secrecy. Section 579.

Books and documents accessible to officers and general public (1930 Act). Section 578.

Director appointed by Governor, approval by General Assembly, qualifications (1930 Act). Section 573.

Duties of bureau and director. Among other things the division shall draft or aid in drafting legislative bills or resolutions and amendments thereto and advise as to the constitutionality or probable legal effect of proposed legislation (1930 Act). Section 577.

Legislative Council, creation, Virginia Advisory Legislative Council, seven members

Digitized by Google

of General Assembly appointed by presiding officers. (1942 Act). Section 580a.
Appropriation (1936 Act). Section 580f.
Compensation and expenses (1936 Act). Section 580d.
Duties of Council (1936 Act). Section 580b.
Meetings, quorum, research (1936 Act). Section 580c.
Secretary, Director of Division of Statutory Research and Drafting, compensation (1936 Act). Section 580e.
Libraries, State and State Law, rights of withdrawal (1930 Act). Section 576.
Office space provided by director of grounds and buildings convenient for members of General Assembly (1930 Act). Section 575.
Printing and stationery, copies of Acts, from Division of Purchase and Printing (1934 Act). Section 580.

Terms of Office

Members of House, two years (1942 Act). Section 78.
Members of Senate, four years. Section 80.
Vacancies, how filled (1938 Act). Section 81.

Testimony

Before Senate, House, or Committees, summons for persons or papers may be issued and enforced. Section 303.
See Oaths, Section 304.

Vacancies

During recess, members or members-elect, writ of election issued by Governor, and during session by Speaker of House or President of Senate, as case may be. Writs

Digitized by Google

to sheriffs and sergeants (1938 Act). Section 81.

Voting Machines

Counties, cities, and towns authorized, State Board of Voting Machine Commissioners requirements (1930 Act). Section 162a (1-22).

Illegal use of voting machine of any legislative or other public body in this State a felony (1926 Act). Section 162a (22).

Digitized by Google

Digitized by Google

Constitution of Virginia

Digitized by Google

Digitized by Google

CONSTITUTION OF VIRGINIA

TABLE OF CONTENTS

ARTICLE I.

Bill of Rights.

Sec. 1. Equality and rights of men.
Sec. 2. People the source of power.
Sec. 3. Government instituted for common benefit.
Sec. 4. No man entitled to exclusive emoluments or privileges; offices not to be hereditary.
Sec. 5. Legislative, executive and judicial departments of State should be separate; elections should be periodical.
Sec. 6. Suffrage; taxation; private property for public uses; consent of governed.
Sec. 7. Laws should not be suspended.
Sec. 8. Concerning criminal prosecutions generally.
Sec. 9. Excessive bail or fines and cruel and unusual punishments prohibited.
Sec. 10. General warrants of search or seizure prohibited.
Sec. 11. No person to be deprived of property without due process of law; trial by jury to be held sacred.
Sec. 12. Freedom of the press and of speech.
Sec. 13. Militia the proper defense of a free State; standing armies should be avoided; military should be subordinate to civil power.
Sec. 14. Government should be uniform.
Sec. 15. Qualities necessary to preservation of free government.
Sec. 16. Religious freedom.
Sec. 17. Construction of the bill of rights.

ARTICLE II.

Elective Franchise and Qualifications for Office.

Sec. 18. Qualification of voters.
Sec. 19. Registration of voters; those registered prior to nineteen hundred and four.
Sec. 20. Who may register.
Sec. 21. Conditions for voting.
Sec. 22. Persons exempt from payment of poll tax as condition of right to vote.
Sec. 23. Persons excluded from registering and voting.

Digitized by Google

Sec. 24. Who not deemed to have gained legal residence.
Sec. 25. Directions to General Assembly in regard to registration and transfers.
Sec. 26. Persons qualified to vote at next election shall be admitted to registration.
Sec. 27. Method of voting.
Sec. 28. Ballots.
Sec. 29. Privileges of voters during election.
Sec. 30. General Assembly may prescribe property qualification for voting in county, city or town elections.
Sec. 31. Electoral boards; appointment and composition; powers and duties of; who ineligible.
Sec. 32. Qualifications of officers and of notaries public.
Sec. 33. When terms of officers to begin and end.
Sec. 34. Oath to be prescribed.
Sec. 35. Primary elections; who may vote.
Sec. 36. General Assembly shall enact laws to regulate elections
Sec. 37. Voting machines.
Sec. 38. Duties of treasurers, clerks of circuit and corporation courts and sheriffs in regard to making, filing, delivering and posting list of paid poll taxes; how corrected.

ARTICLE III.

Division of Powers.

Sec. 39. Departments to be distinct.

ARTICLE IV.

Legislative Department.

Sec. 40. General Assembly to consist of Senate and House of Delegates.
Sec. 41. Number and election of senators.
Sec. 42. Number and election of delegates.
Sec. 43. Apportionment of Commonwealth into senatorial and house districts.
Sec. 44. Qualifications of senators and delegates; who ineligible; removal from district vacates office.
Sec. 45. Salaries of members of General Assembly to be fixed by law; members not to be elected by the General Assembly to civil offices of profit.
Sec. 46. Time and duration of meetings of General Assembly; adjournments; majority shall be a quorum; power of smaller number than a quorum.
Sec. 47. Power of each house of General Assembly to elect its presiding officer, make its own rules, fill vacancies, and judge of the election and qualification of members and punish and expel members.

Digitized by Google

Sec. 48. Privileges of members of General Assembly.
Sec. 49. Journal of proceedings.
Sec. 50. Enactment of laws; tax laws shall specifically state the tax and require a vote of majority of members.
Sec. 51. Standing committee on special, private and local legislation.
Sec. 52. Law shall embrace but one object, which shall be expressed in its title; how laws revived or amended.
Sec. 53. Time when laws take effect.
Sec. 54. Impeachments; proceeding under; extent of judgment under; indictment, et cetera, to lie.
Sec. 55. Apportionment of State into congressional districts by General Assembly.
Sec. 56. Directions to General Assembly concerning elections and declaring offices vacant.
Sec. 57. Power of General Assembly to remove disabilities.
Sec. 58. Prohibitions on General Assembly as to suspension of writ of habeas corpus, and enactment of laws referring to religion and other laws.
Sec. 59. General Assembly shall not incorporate churches or religious denominations; may secure church property.
Sec. 60. Lotteries and sale of lottery tickets prohibited.
Sec. 61. Formation, division and consolidation of counties.
Sec. 62. Powers of the General Assembly to enact liquor laws.
Sec. 63. Powers of the General Assembly and limitations thereon.
Sec. 64. General Assembly shall enact general laws in cases mentioned in preceding section, and wherever general laws will apply; amendment or partial repeal of general law shall not enact special law; restrictions as to laws.
Sec. 65. Powers of local and special legislation may be conferred by General Assembly, by general law, on supervisors and councils.
Sec. 66. Clerk of House of Delegates to be Keeper of the Rolls, without compensation.
Sec. 67. Limitations on appropriations by General Assembly to charitable and other institutions, exceptions.
Sec. 68. Auditing committee, appointment and constitution; powers and duties.

ARTICLE V.

Executive Department.

Sec. 69. Governor; term of office.
Sec. 70. How and when elected; how results ascertained; how tie or contested elections decided.
Sec. 71. Qualifications of Governor.
Sec. 72. His place of residence and compensation.

Digitized by Google

Sec. 73. Duties and powers of Governor.
Sec. 74. Further powers of Governor.
Sec. 75. Commissions and grants; how they shall run and how attested.
Sec. 76. Bills, duties of Governor in regard to; proceedings of General Assembly in passing bills over veto of Governor; effect of failure of Governor to sign.
Sec. 77. Lieutenant Governor, election and qualifications.
Sec. 78. Duties of Lieutenant Governor.
Sec. 79. Lieutenant Governor shall be President of Senate; compensation as such.
Sec. 80. Secretary of the Commonwealth.
Sec. 81. State Treasurer.
Sec. 82. Auditor of Public Accounts.
Sec. 83. Salaries of officers of executive department.
Sec. 84. Checks and balances on offices entrusted with collection of revenue, establishments of.
Sec. 85. Bond of officers handling State funds.
Sec. 86. Bureau of Labor and Statistics.
Sec. 86-a. Effect of refusal of General Assembly to confirm an appointment by the Governor.

ARTICLE VI.

Judiciary Department.

Sec. 87. Composition and jurisdiction.
Sec. 88. Supreme Court of Appeals; composition and jurisdiction.
Sec. 89. Special Court of Appeals.
Sec. 90. Opinions and judgments of the Supreme Court of Appeals.
Sec. 91. Qualifications and terms of judges of Supreme Court of Appeals; how chosen.
Sec. 92. Officers of Supreme Court of Appeals.
Sec. 93. Sessions of Supreme Court of Appeals.
Sec. 94. Judicial circuits, number and constitution.
Sec. 95. Powers of General Assembly to rearrange judicial circuits; limitations.
Sec. 96. Circuit judges; election, qualifications, residence and term of office.
Sec. 97. Terms of circuit courts; judges may be required to hold terms in other circuits.
Sec. 98. Division of cities into classes; courts of each class, additional courts of cities, how provided; abolition and cessation of corporation or city court.
Sec. 99. Judges of city courts; qualifications, term of office and residence; holding court in other circuits.
Sec. 100. Courts of land registration.
Sec. 101. Clerks of courts; jurisdiction in cases of wills, insane persons, etc.

Digitized by Google

Sec. 102. Judges, how commissioned; salaries and allowances; terms of office; vacancies; retirement and compensation.
Sec. 103. Salaries of judges.
Sec. 104. Removal of judges for cause.
Sec. 105. Judges shall not practice law or hold office of public trust; exception.
Sec. 106. Writs and indictments.
Sec. 107. Attorney General, election, commission, duties and compensation.
Sec. 108. Justices of the peace.
Sec. 109. Application for bail.

ARTICLE VII.

Organization and Government of Counties.

Sec. 110. County officers, number, terms and compensation; county organization.
Sec. 111. Magisterial districts, supervisors; how chosen, powers and duties.
Sec. 112. Elections for county and district officers, when held; terms of officers.
Sec. 113. No person shall hold more than one office at the same time. Additional security may be required of officer.
Sec. 114. County not responsible for acts of sheriff.
Sec. 115. Examinations of books, accounts, etc., of officers handling public funds.
Sec. 115-a. Power of counties and districts to borrow money and to issue evidences of indebtedness restricted.

ARTICLE VIII.

Organization and Government of Cities and Towns.

Sec. 116. Definitions of "cities" and "towns".
Sec. 117. General Assembly shall enact laws for government of cities and towns; how special act therefor passed; as to city charters existing at adoption of Constitution.
Sec. 118. Clerks of city courts, elections, duties and number; only one in city of less than thirty thousand inhabitants.
Sec. 119. Commonwealth's attorney in cities; commissioner of revenue in cities.
Sec. 120. City officers, their titles, election, powers and duties.
Sec. 121. City council, composition, how elected, powers and duties; ineligibility of members to certain offices; powers and duties as to reapportionments; when mandamus against council lies.

Digitized by Google

Sec. 122. Election and terms of office of city officers.
Sec. 123. Ordinances, proceeding to pass over veto of mayor; as to appropriation ordinance, vetoes.
Sec. 124. Consent of corporate authorities necessary to use of streets, alleys, or public grounds by certain companies or persons.
Sec. 125. Sale of corporate property and granting of franchise by cities and towns.
Sec. 126. Corporate limits, contraction or extension of, General Assembly shall provide for.
Sec. 127. Concerning bonded indebtedness of cities and towns
Sec. 128. (Omitted.)

ARTICLE IX.

Education and Public Instruction.

Sec. 129. Free schools to be maintained.
Sec. 130. State Board of Education; composition; vacancies, how filled.
Sec. 131. Superintendent of Public Instruction.
Sec. 132. Powers and duties of State Board of Education.
Sec. 133. School districts; school trustees.
Sec. 134. Literary fund.
Sec. 135. Appropriations for school purposes, school age.
Sec. 136. Local school taxes.
Sec. 137. Agricultural, normal, manual training and technical schools.
Sec. 138. Compulsory education.
Sec. 139. Free textbooks.
Sec. 140. Mixed schools prohibited.
Sec. 141. State appropriations prohibited to schools or institutions of learning not owned or exclusively controlled by the State or some sub-division thereof; exceptions to rule.
Sec. 142. Boards of visitors and trustees of educational institutions, how appointed, and term of office.

ARTICLE X.

Agriculture and Immigration.

Sec. 143. Department of Agriculture and Immigration, where maintained, how controlled, composition, qualification of members, how appointed and term of office.
Sec. 144. Powers and duties of same.
Sec. 145. Commissioner of Agriculture and Immigration.
Sec. 146. President of Board of Agriculture and Immigration to be ex-officio member of Board of Visitors of Virginia Polytechnic Institute.

Digitized by Google

ARTICLE XI.

Public Welfare and Penal Institutions.

Sec. 147. Public welfare, charitable, reformatory, or penal institutions.
Sec. 148. (Omitted.)
Sec. 149. (Omitted).
Sec. 150. (Omitted.)
Sec. 151. (Omitted.)
Sec. 152. Office of Commissioner of State Hospitals abolished

ARTICLE XII.

Corporations.

Sec. 153. Definition of terms used in article; article not to conflict with Federal Constitution.
Sec. 154. As to chartering a corporation, and legislation relating thereto by General Assembly, surrender of charters; special acts regulating corporations prohibited.
Sec. 155. State Corporation Commission; how selected; term of office; how vacancies filled; who ineligible; qualifications of at least one member; how removed or impeached; officers, how selected; rules of order and procedure; general provisions; salaries.
Sec. 156. Powers, duties and method of procedure of commission.
Sec. 157. Fees from corporations.
Sec. 158. Effect of amendment of previously obtained charter of corporation.
Sec. 159. Eminent domain and police power of State never abridged.
Sec. 160. Concerning rates of transportation and transmission companies.
Sec. 161. Free transportation to members of General Assembly and of State, county, district, or municipal officers, except members and officers of State Corporation Commission, prohibited, penalty; policemen and firemen excepted.
Sec. 162. Fellow-servant doctrine abolished to extent stated.
Sec. 163. As to foreign corporations.
Sec. 164. Right of regulation and control of common carriers and public service corporations never surrendered or abridged.
Sec. 165. General Assembly shall enact laws preventing all trusts, combinations and monopolies inimical to the public welfare.
Sec. 166. Right to parallel railroads; as to building road parallel to Richmond, Fredericksburg and Potomac Railroad, duties of connecting railroad.

Digitized by Google

Sec. 167. Concerning issuance of stocks and bonds by corporations; penalty for violation.

ARTICLE XIII.

Taxation and Finance.

Sec. 168. Taxable property; taxes shall be uniform as to class of subjects and levied and collected under general laws.
Sec. 169. How property assessed; General Assembly may grant cities and towns right to reduce taxation for a period of years on land added to corporate limits.
Sec. 170. Income, license, and State franchise taxes; taxation of shares of stock issued by corporations; taxes or assessments upon abutting landowners in cities, towns and certain counties for local public improvements, none elsewhere.
Sec. 171. Real estate and tangible personal property, except the rolling stock of public service corporations, segregated for local taxation exclusively.
Sec. 172. Assessment of coal and mineral lands.
Sec. 173. State, county and municipal capitation taxes.
Sec. 174. Statute of limitations shall not run against State taxes; failure to assess not to defeat subsequent assessment and collection of taxes; exception as to bona fide purchase for value.
Sec. 175. The natural oyster beds.
Sec. 176. Assessment and taxation of railroad and canal companies.
Sec. 177. Franchise tax of railroad and canal companies.
Sec. 178. Amount and ascertainment of such franchise tax.
Sec. 179. Reports of corporations to Corporation Commission.
Sec. 180. Application for relief from assessment for taxation; proceedings thereunder.
Sec. 181. Legislative power over system of corporate taxation.
Sec. 182. (Omitted.)
Sec. 183. Property exempt from taxation.
Sec. 183-a. Officers' salaries not exempt from income tax.
Sec. 184. Authorisation of certain debts.
Sec. 184-a. Authorisation of certain liabilities if approved by popular vote; limitations as to amount.
Sec. 184-b. Issues of evidence of indebtedness by State prohibited with certain exceptions.
Sec. 185. Lending of credit to, or subscription to stock of, corporations or persons by State, county, city or town prohibited; State shall become interested in no work of internal improvements except public roads and public parks; exceptions as to counties, cities and towns.

Digitized by Google

Sec. 186. Collection and disposition of State revenue; payment of money from State Treasurer; what appropriations shall not be made.
Sec. 187. Sinking fund for State debts; every law creating a debt to provide for a sinking fund for its payment.
Sec. 188. Limit of tax or revenue.
Sec. 189. Authorization of exemption of manufactories from local taxation.

ARTICLE XIV.

Miscellaneous Provisions, Homestead and Other Exemptions.

Sec. 190. Homestead exemptions; when not to apply.
Sec. 191. In what property homestead exemptions cannot be claimed.
Sec. 192. Manner and conditions on which homestead may be set apart to be prescribed by General Assembly.
Sec. 193. Homestead previously claimed not invalidated (liberally construed).
Sec. 194. Stay laws prohibited; exceptions.
Sec. 195. Heirs of property; children of slaves.
Sec. 195-a. Terms of office of incumbents.

ARTICLE XV.

Future Changes in the Constitution.

Sec. 196. Amendments.
Sec. 197. Constitutional Convention; how called.

ARTICLE XVI.

Rules of Construction.

Sec. 198. Rules of construction.

ARTICLE XVII.

Voting Qualification of Armed Forces.

Sec. 1. Exempt from payment of poll taxes and registering.
Sec. 2. Relief from assessment and payment of poll taxes.
Sec. 3. Voting.

Digitized by Google

CONSTITUTION OF VIRGINIA

ARTICLE I.

Bill of Rights.

A DECLARATION OF RIGHTS made by the good people of Virginia in the exercise of their sovereign powers, which rights do pertain to them and their posterity, as the basis and foundation of government.

Sec. 1. Equality and rights of men.

That all men are by nature equally free and independent and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact deprive or divest their posterity, namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.

Sec. 2. People the source of power.

That all power is vested in, and consequently derived from, the people, that magistrates are their trustees and servants, and at all times amenable to them.

Sec. 3. Government instituted for common benefit.

That government is, or ought to be, instituted for the common benefit, protection and security of the people, nation or community; of all the various modes and forms of government, that is best which is capable of producing the greatest degree of happiness and safety, and is most effect-

Digitized by Google

ually secured against the danger of maladministration; and, whenever any government shall be found inadequate or contrary to these purposes, a majority of the community hath an indubitable, inalienable, and indefeasible right to reform, alter or abolish it, in such manner as shall be judged most conducive to the public weal.

Sec. 4. No man entitled to exclusive emoluments or privileges; offices not to be hereditary.

That no man, or set of men, is entitled to exclusive or separate emoluments or privileges from the community, but in consideration of public services; which not being descendible, neither ought the offices of magistrate, legislator or judge to be hereditary.

Sec. 5. Legislative, executive and judicial departments of State should be separate; elections should be periodical.

That the legislative, executive and judicial departments of the State should be separate and distinct; and that the members thereof may be restrained from oppression, by feeling and participating the burthens of the people, they should, at fixed periods, be reduced to a private station, return into that body from which they were originally taken, and the vacancies be supplied by regular elections, in which all or any part of the former members shall be again eligible, or ineligible, as the laws may direct.

Sec. 6. Suffrage; taxation; private property for public uses; consent of governed.

That all elections ought to be free; and that all men, having sufficient evidence of permanent common interest with, and attachment to, the com-

Digitized by Google

munity, have the right of suffrage, and cannot be taxed, or deprived of, or damaged in, their property for public uses, without their own consent, or that of their representatives duly elected, or bound by any law to which they have not, in like manner, assented for the public good.

Sec. 7. Laws should not be suspended.

That all power of suspending laws, or the execution of laws, by any authority, without consent of the representatives of the people, is injurious to their rights, and ought not to be exercised.

Sec. 8. Concerning criminal prosecutions generally.

That in criminal prosecutions a man hath a right to demand the cause and nature of his accusation, to be confronted with the accusers and witnesses, to call for evidence in his favor, and to a speedy trial by an impartial jury of his vicinage, without whose unanimous consent he cannot be found guilty. He shall not be deprived of life or liberty, except by the law of the land or the judgment of his peers; nor be compelled in any criminal proceeding to give evidence against himself, nor be put twice in jeopardy for the same offense.

Laws may be enacted providing for the trial of offenses not felonious by a justice of the peace or other inferior tribunal without a jury, preserving the right of the accused to an appeal to and a trial by jury in some court of record having original criminal jurisdiction. Laws may also provide for juries consisting of less than twelve, but not less than five, for the trial of offenses not felonious, and may classify such cases, and prescribe the number of jurors for each class.

In criminal cases, the accused may plead guilty; and, if the accused plead not guilty, with his

Digitized by Google

consent and the concurrence of the Commonwealth's attorney and of the court entered of record, he may be tried by a smaller number of jurors, or waive a jury. In case of such waiver, or plea of guilty the court shall try the case.

The amendment ratified June 19, 1928.—In any case of felony or misdemeanor, upon a plea of guilty, tendered in person by the accused, and with the consent of the attorney for the Commonwealth, entered of record, it was formerly mandatory upon the court, by section 8 of the Constitution, to hear and determine the case without the intervention of a jury; and in any case of misdemeanor, upon a plea of not guilty, with the consent of the accused given in person, and of the attorney for the Commonwealth, both entered of record, the court could formerly, in its discretion, hear and determine the case without the intervention of a jury. If the prosecution was for a felony, and the accused pleaded **not guilty**, no provision was made in the Constitution for the court to hear and determine the case without the intervention of a jury. The amendment to section 8 provides that, in any case of felony or misdemeanor, upon a plea of **guilty**, the court **shall** try the case; and that in any case of felony or misdemeanor, upon a plea of **not guilty**, with the consent of the accused and the concurrence of the attorney for the Commonwealth and of the court entered of record, the accused may be tried by a smaller number of jurors, or may waive a jury, and thereupon, in case of such waiver, the court **shall** try the case. The object of these changes is to expedite the disposition of criminal cases, but at the same time to preserve every substantial right of the accused.

Under the former section 8 the General Assembly could provide for the trial of offenses not punishable by death or confinement in the penitentiary (misdemeanors) by a justice of the peace, without a jury, preserving in all such cases, the right of the accused to an appeal to and trial by jury in "the circuit or corporation court". The amendment inserts the words "or other inferior tribunal" after the words "justice of the peace", and also inserts the words "some court of record having original criminal jurisdiction" in lieu of the words "the circuit or corporation court". These changes should be read in connection with the changes in section 87, and when so read, are appropriate, because section 87 gives the General Assembly authority to establish courts inferior to the Supreme Court of Appeals, in addition to the circuit and corporation and city courts formerly and now authorized.

The amended section 8 not only contains the changes in meaning, which have been pointed out, but the arrangement of the phraseology of the section is somewhat different, the general object being to restore the language in greater measure

Digitized by Google

to the original of 1776. The provision that "An appeal may be allowed to the Commonwealth in all prosecutions for the violation of a law relating to the State revenue" has been omitted because covered by section 88.

Sec. 9. Excessive bail or fines and cruel and unusual punishments prohibited.

That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Sec. 10. General warrants of search or seizure prohibited.

That general warrants, whereby an officer or messenger may be commanded to search suspected places without evidence of a fact committed, or to seize any person or persons not named, or whose offense is not particularly described and supported by evidence, are grievous and oppressive, and ought not to be granted.

Sec. 11. No person to be deprived of property without due process of law; trial by jury to be held sacred.

That no person shall be deprived of his property without due process of law; and in controversies respecting property, and in suits between man and man, trial by jury is preferable to any other, and ought to be held sacred. The General Assembly may limit the number of jurors for civil cases in courts of record to not less than five in cases cognizable by justices of the peace, or to not less than seven in cases not so cognizable.

The amendment ratified June 19, 1923.—The Constitution, in section 11 thereof, formerly provided that the General Assembly could limit the number of jurors for civil cases in "circuit and corporation courts" to not less than five in cases "now" cognizable by justices of the peace, or to not less than seven in cases not so cognizable. The word "now" evidently related to the year 1902, when the Constitution was proclaimed, and its

Digitized by Google

insertion was probably inadvertent, because the Convention must have realized that the jurisdiction of justices might at some time be changed. The jurisdiction having been actually increased in 1916, it was readily seen that confusion would have resulted from that word "now" if any one had cared to raise the point (Burks Pleading & Practice [2nd Edition] p. 463). The amended section eliminates the word "now" and substitutes the words "courts of record" for "circuit and corporation courts." That all courts of record should be included is manifest.

Sec. 12. Freedom of the press and of speech.

That the freedom of the press is one of the great bulwarks of liberty, and can never be restrained but by despotic governments; and any citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right.

Sec. 13. Militia the proper defense of a free State; standing armies should be avoided; military should be subordinate to civil power.

That a well regulated militia, composed of the body of the people, trained to arms, is the proper, natural and safe defense of a free State; that standing armies, in time of peace, should be avoided as dangerous to liberty; and that in all cases the military should be under strict subordination to, and governed by, the civil power.

Sec. 14. Government should be uniform.

That the people have a right to uniform government; and, therefore, that no government separate from, or independent of, the government of Virginia, ought to be erected or established within the limits thereof.

Sec. 15. Qualities necessary to preservation of free government.

That no free government, or the blessings of liberty can be preserved to any people, but by a

Digitized by Google

firm adherence to justice, moderation, temperance, frugality and virtue, and by frequent recurrence to fundamental principles.

Sec. 16. Religious freedom.

That religion or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence; and, therefore, all men are equally entitled to the free exercise of religion, according to the dictates of conscience; and that it is the mutual duty of all to practice Christian forbearance, love and charity towards each other.

Sec. 17. Construction of the bill of rights.

The rights enumerated in this bill of rights shall not be construed to limit other rights of the people not therein expressed.

ARTICLE II.

Elective Franchise and Qualification for Office.

Sec. 18. Qualifications of voters.

Every citizen of the United States, twenty-one years of age, who has been a resident of the State one year, of the county, city, or town, six months, and of the precinct in which he offers to vote, thirty days, next preceding the election in which he offers to vote, has been registered, and has paid his State poll taxes, as hereinafter required, shall be entitled to vote for members of the General Assembly and all officers elective by the people;

Digitized by Google

but removal from one precinct to another, in the same county, city or town shall not deprive any person of his right to vote in the precinct from which he has moved, until the expiration of thirty days after such removal.

The right of citizens to vote shall not be denied or abridged on account of sex.

The amendment ratified June 19, 1928.—The periods of residence formerly fixed by section 18 as a qualification for voters (two years in the State and one year in the county, city, or town), seemed short enough in 1902 due to the chaotic conditions which then existed in the matter of suffrage; but as this condition no longer exists, the amended section reduces these periods to one year and six months, respectively. This liberalization of the section will tend to stimulate interest in elections on the part of new citizens and invite them sooner to contribute to the solution of the problems of government, both State and local; and in the case of voters moving from one county or city in the State to another county or city, it will encourage the getting of transfers.

Women having been admitted to the privilege of suffrage by the operation of the Nineteenth Amendment to the Constitution of the United States, the amended section conforms the language of the Constitution of Virginia thereto by omitting the word "male" wherever it formerly appeared in the article on suffrage and by inserting a sentence in section 18 declaring that "The right of citizens to vote shall not be denied or abridged on account of sex."

Sec. 19. Registration of voters; those registered prior to nineteen hundred and four.

Persons registered under the general registration of voters during the years nineteen hundred and two and nineteen hundred and three, whose names were required to be certified by the officers of registration for filing, record and preservation in the clerks' offices of the several circuit and corporation courts, shall not be required to register again, unless they shall have ceased to be residents of the State, or become disqualified by section twenty-three.

Digitized by Google

Sec. 20. Who may register.

Every citizen of the United States, having the qualifications of age and residence required in section eighteen, shall be entitled to register, provided:

First. That he has personally paid to the proper officer all State poll taxes legally assessed or assessable against him for the three years next preceding that in which he offers to register; or, if he come of age at such time that no poll tax shall have been assessable against him for the year preceding the year in which he offers to register, has paid one dollar and fifty cents, in satisfaction of the first year's poll tax assessable against him; and,

Second. That, unless physically unable, he make application to register in his own handwriting, without aid, suggestion, or memorandum, in the presence of the registration officer, stating therein his name, age, date and place of birth, residence and occupation at the time and for the one year next preceding, and whether he has previously voted, and, if so, the State, county, and precinct in which he voted last; and,

Third. That he answer on oath any and all questions affecting his qualifications as an elector, submitted to him by the registration officer, which questions, and his answers thereto, shall be reduced to writing, certified by the said officer, and preserved as a part of his official records.

The amendment ratified June 19, 1928.—An applicant who desired to register for voting was formerly required by section 20 to state, among other things, his residence and occupation at the time of his application and for the two years next preceding. Under the amendment, the residence and occupation of the applicant at the time of the application and for only one year next preceding need be stated. Immaterial changes in the phraseology of the section are also made.

Digitized by Google

Sec. 21. Conditions for voting.

A person registered under the general registration of voters during the years nineteen hundred and two and nineteen hundred and three, or under the last section, shall have the right to vote for all officers elective by the people, subject to the following conditions:

That unless exempted by section twenty-two, he shall, as a prerequisite to the right to vote, personally pay, at least six months prior to the election, all State poll taxes assessed or assessable against him, under this Constitution, during the three years next preceding that in which he offers to vote.

If he shall have registered after the first day of January, nineteen hundred and four, he shall, unless physically unable, prepare and deposit his ballot without aid, on such printed form as the law may prescribe; but any voter registered prior to that date may be aided in the preparation of his ballot by such officer of election as he himself may designate.

Sec. 22. Persons exempt from payment of poll tax as condition of right to vote.

No person, nor the wife or widow of such person, who, during the late war between the States, served in the army or navy of the United States, or of the Confederate States, or of any State of the United States, or of the Confederate States, shall at any time be required to pay a poll tax as a prerequisite to the right to register or vote. The collection of the State poll tax assessed against anyone shall not be enforced by legal process until the same has become three years past due.

Digitized by Google

Sec. 23. Persons excluded from registering and voting.

The following persons shall be excluded from registering and voting: Idiots, insane persons and paupers; persons who, prior to the adoption of this Constitution, were disqualified from voting, by conviction of crime, either within or without this State, and whose disabilities shall not have been removed; persons convicted after the adoption of this Constitution, either within or without this State, of treason, or of any felony, bribery, petit larceny, obtaining money or property under false pretenses, embezzlement, forgery or perjury; persons who while citizens of this State, after the adoption of this Constitution, have fought a duel with a deadly weapon, or sent or accepted a challenge to fight such a duel, either within or without this State, or knowingly conveyed such a challenge, or aided or assisted in any way in the fighting of such duel.

Sec. 24. Who not deemed to have gained legal residence.

No officer, soldier, seaman, or marine of the United States army or navy shall be deemed to have gained a residence as to the right of suffrage, in the State, or in any county, city or town thereof by reason of being stationed therein; nor shall an inmate of any charitable institution or a student in any institution of learning, be regarded as having either gained or lost a residence, as to the right of suffrage, by reason of his location or sojourn in such institution.

Sec. 25. Directions to General Assembly in regard to registration and transfers.

The General Assembly shall provide for the annual registration of voters under section twenty,

Digitized by Google

for an appeal by any person denied registration, for the correction of illegal or fraudulent registration thereunder, and also for the proper transfer of all voters registered under this Constitution.

Sec. 26. Persons qualified to vote at next election shall be admitted to registration.

Any person who, in respect to age or residence, would be qualified to vote at the next election, shall be admitted to registration, notwithstanding that at the time thereof he is not so qualified, and shall be entitled to vote at said election if then qualified under the provisions of this Constitution.

Sec. 27. Method of voting.

All elections by the people shall be by ballot; all elections by any representative body shall be viva voce, and the vote recorded in the journal thereof.

The ballot box shall be kept in public view during all elections, and shall not be opened, nor the ballots canvassed or counted, in secret.

So far as consistent with the provisions of this Constitution, the absolute secrecy of the ballot shall be maintained.

Sec. 28. Ballots.

The General Assembly shall provide for ballots without any distinguishing mark or symbol, for the use in all State, county, city and other elections by the people, and the form thereof shall be the same in all places where any such election is held. All ballots shall contain the names of the candidates, and of the offices to be filled, in clear print and in due and orderly succession; but any voter may erase any name and insert another.

Digitized by Google

Sec. 29. Privileges of voters during election.

No voter, during the time of holding any election at which he is entitled to vote, shall be compelled to perform military service, except in time of war or public danger; to attend any court as suitor, juror, or witness; and no voter shall be subject to arrest under any civil process during his attendance at election or in going to or returning therefrom.

Sec. 30. General Assembly may prescribe property qualification for voting in county, city or town elections.

The General Assembly may prescribe a property qualification not exceeding two hundred and fifty dollars for voters in any county or subdivision thereof, or city or town as a prerequisite for voting in any election for officers, other than the members of the General Assembly, to be wholly elected by the voters of such county or subdivision thereof, or city, or town, such action, if taken, to be had upon the initiative of a representative in the General Assembly of the county, city or town affected; provided, that the General Assembly, in its discretion, may make such exemptions from the operation of said property qualifications as shall not be in conflict with the Constitution of the United States.

Sec. 31. Electoral boards; appointment and composition; powers and duties of; who ineligible.

There shall be in each county and city an electoral board, composed of three members, appointed by the circuit court of the county, or the corporation court of the city, or the judge of the court in vacation. In the appointment of the electoral boards representation as far as practicable shall be given to each of the two political parties which, at the general election next preceding their appoint-

Digitized by Google

ment, cast the highest and the next highest number of votes. The present members of such boards continue in office until the expiration of their respective terms; and thereafter their successors shall be appointed for the term of three years. Any vacancy occurring in any board shall be filled by the same authority for the unexpired term.

Each electoral board shall appoint the judges, clerks and registrars of election for its county or city; and, in appointing the judges of election, representation as far as possible shall be given to each of the two political parties which, at the general election next preceding their appointment, cast the highest and the next highest number of votes.

No person, nor the deputy of any person, holding any office or post of profit or emolument, under the United States government, or who is in the employment of such government, or holding any elective office of profit or trust in the State, or in any county, city, or town thereof, shall be appointed a member of the electoral board, or registrar or judge of election.

The amendment ratified June 19, 1928.—In the appointment of judges of election, but not of members of electoral boards, section 31 formerly required that representation as far as possible be given to each of the two political parties which, at the general election next preceding their appointment, cast the highest and the next highest number of votes. The amendment retains the provisions as to judges of election and inserts a similar provision as to the appointment of the electoral boards in order that the minority party may also have representation on such boards. Immaterial changes in phraseology without legal effect are also made in this section.

Sec. 32. Qualifications of officers and of notaries public.

Every person qualified to vote shall be eligible to any office of the State, or of any county, city,

Digitized by Google

town or other subdivision of the State, wherein he resides, except as otherwise provided in this Constitution, and except that this provision as to residence shall not apply to any office elective by the people where the law provides otherwise; and except, further, that the requirements of this section as to residence and voting qualifications shall not apply to the appointment of persons to fill positions or posts requiring special technical or professional training and experience.

Persons eighteen years of age shall be eligible to the office of notary public and qualified to execute the bonds required of them in that capacity.

The amendment ratified June 19, 1928.—The requirements as to residence and voting qualifications formerly prescribed by section 32 of the Constitution for officers generally, were not applicable to the appointment of persons to fill positions under a municipal government requiring special technical or professional training and experience. As originally adopted, this modification was not contained in the Constitution. It was inserted by an amendment which was ratified by the people in November, 1920. The amendment of 1928 enlarges this liberalization of the section so as to include the appointment of all persons to fill positions or posts requiring special technical or professional training and experience, whether such positions or posts be in the State government, or in the government of any county, city or town.

Sec. 33. When terms of officers to begin and end.

Unless otherwise prescribed by law, the terms of all officers elected under this Constitution shall begin on the first day of February next succeeding their election, unless otherwise provided in this Constitution. All officers elected or appointed, shall continue to discharge the duties of their offices after their terms of service have expired until their successors have qualified.

The amendment ratified June 19, 1928.—Formerly, the terms of all officers elected under the Constitution began on the first day of February next succeeding their election, unless otherwise provided in the Constitution. The amendment to section 33

Digitized by Google

allows the General Assembly to prescribe the commencement of the terms in all cases in which the dates are not prescribed by the Constitution.

Sec. 34. Oath to be prescribed.

Members of the General Assembly, and all officers, executive and judicial, elected or appointed after this Constitution goes into effect shall, before they enter on the performance of their public duties, severally take and subscribe the following oath or affirmation:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Virginia, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as ....., according to the best of my ability, so help me God."

Sec. 35. Primary elections; who may vote.

No person shall vote at any legalized primary election for the nomination of any candidate for office unless he is at the time registered and qualified to vote at the next succeeding election.

Sec. 36. General Assembly shall enact laws to regulate elections.

The General Assembly shall enact such laws as are necessary and proper for the purpose of securing the regularity and purity of general, local and primary elections, and preventing and punishing any corrupt practices in connection therewith; and shall have power, in addition to other penalties and punishments now or hereafter prescribed by law for such offenses, to provide that persons convicted of them shall thereafter be disqualified from voting or holding office.

Digitized by Google

persons who have paid their State poll taxes in time to be arranged in the cities in such manner as the General Assembly may direct, instead of restricting the arrangement to wards, as formerly.

ARTICLE III.

Division of Powers.

Sec. 39. Departments to be distinct.

Except as hereinafter provided, the legislative, executive and judicial departments shall be separate and distinct, so that neither exercise the powers properly belonging to either of the others, nor any person exercise the power of more than one of them at the same time.

ARTICLE IV.

Legislative Department.

Sec. 40. General Assembly to consist of Senate and House of Delegates.

The legislative power of the State shall be vested in a General Assembly, which shall consist of a Senate and House of Delegates.

Sec. 41. Number and election of senators.

The Senate shall consist of not more than forty and not less than thirty-three members, who shall be elected quadrennially by the voters of the

Digitized by Google

several senatorial districts on the Tuesday succeeding the first Monday in November.

Sec. 42. Number and election of delegates.

The House of Delegates shall consist of not more than one hundred and not less than ninety members, who shall be elected biennially by the voters of the several house districts, on the Tuesday succeeding the first Monday in November.

Sec. 43. Apportionment of Commonwealth into senatorial and house districts.

The present apportionment of the Commonwealth into senatorial and house districts shall continue; but a reapportionment shall be made in the year nineteen hundred and thirty-two and every ten years thereafter.

Sec. 44. Qualifications of senators and delegates; who ineligible; removal from district vacates office.

Any person may be elected senator who, at the time of election, is actually a resident of the senatorial district and qualified to vote for members of the General Assembly; and any person may be elected a member of the House of Delegates who, at the time of election, is actually a resident of the house district and qualified to vote for members of the General Assembly. But no person holding a salaried office under the State government, and no judge of any court, attorney for the Commonwealth, sheriff, sergeant, treasurer, assessor of taxes, commissioner of the revenue, collector of taxes, or clerk of any court, shall be a member of either house of the General Assembly during his continuance in office, and the election of any such person to either house of the General Assembly, and his qualification as a member

Digitized by Google

thereof, shall vacate any such office held by him; and no person holding any office or post of profit or emolument under the United States government or who is in the employment of such government, shall be eligible to either house. The removal of a senator or delegate from the district for which he is elected shall vacate his office.

Sec. 45. Salaries of members of General Assembly to be fixed by law; members not to be elected by the General Assembly to civil offices of profit.

The members of the General Assembly shall receive for their services a salary to be fixed by law and paid from the public treasury; but no act increasing such salary shall take effect until after the end of the term for which the members voting thereon were elected; and no member during the term for which he shall have been elected shall be elected by the General Assembly to any civil office of profit in the State.

The amendment ratified June 19, 1928.—No member of the General Assembly during the term for which he was elected was formerly eligible under section 45 to appointment or election to any civil office of profit in the State, except offices filled by election of the people. The amendment provides that no member during the term for which he shall have been elected, shall be elected by the General Assembly to any civil office of profit in the State. Under this amendment members of the General Assembly are eligible to all offices except offices filled by election by the General Assembly.

Sec. 46. Time and duration of meetings of General Assembly; adjournments; majority shall be a quorum; power of smaller number than a quorum.

The General Assembly shall meet once in two years on the second Wednesday in January next succeeding the election of the members of the House of Delegates and not oftener unless convened

Digitized by Google

in the manner prescribed by this Constitution. No session of the General Assembly shall continue longer than sixty days; but with the concurrence of three-fifths of the members elected to each house, the session may be extended for a period not exceeding thirty days. Members shall be allowed a salary for not exceeding sixty days at any regular session, and for not exceeding thirty days at any extra session. Neither house shall, without the consent of the other, adjourn to another place nor for more than three days. A majority of the members elected to each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and shall have power to compel the attendance of members in such manner and under such penalty as each house may prescribe.

Sec. 47. Power of each house of General Assembly to elect its presiding officer, make its own rules, fill vacancies, and judge of the election and qualification of members and punish and expel members.

The House of Delegates shall choose its own Speaker; and, in the absence of the Lieutenant Governor, or when he shall exercise the office of Governor, the Senate shall choose from its own body a president pro tempore. Each house shall select its officers, settle its rules of procedure, and direct writs of election for supplying vacancies which may occur during the session of the General Assembly; but, if vacancies occur during the recess, such writs may be issued by the Governor, under such regulations as may be prescribed by law. Each house shall judge of the election, qualification, and returns of its members; may punish them for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

Digitized by Google

Sec. 48. Privileges of members of General Assembly.

Members of the General Assembly shall, in all cases, except treason, felony, or breach of the peace, be privileged from arrest during the sessions of their respective houses; and for any speech or debate in either house shall not be questioned in any other place. They shall not be subject to arrest, under any civil process, during the sessions of the General Assembly, or the fifteen days next before the beginning or after the ending of any session.

Sec. 49. Journal of proceedings.

Each house shall keep a journal of its proceedings, which shall be published from time to time, and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered on the journal.

Sec. 50. Enactment of laws; tax laws shall specifically state the tax and require a vote of majority of members.

No law shall be enacted except by bill. A bill may originate in either house, may be approved or rejected by the other, or amended by either, with the concurrence of the other.

No bill shall become a law unless, prior to its passage, it has been:

(a) Referred to a committee of each house, considered by such committee in session and reported;

(b) Printed by the house in which it originated prior to its passage therein;

(c) Read by title on three different calendar days in each house; and unless—

Digitized by Google

(d) Upon its final passage a yea and nay vote has been taken thereon in each house, the names of the members voting for and against entered on the journal, and a majority of those voting, which shall include at least two-fifths of the members elected to each house, recorded in the affirmative.

Only in the manner required in subdivision (d) of this section shall an amendment to a bill by one house be concurred in by the other, or a conference report be adopted by either house, or either house discharge a committee from the consideration of a bill and consider the same as if reported. The printing and reading, or either, required in subdivisions (b) and (c) of this section, may be dispensed with in a bill to codify the laws of the State, and in any case of emergency by a vote of four-fifths of the members voting in each house taken by the yeas and nays, and the names of the members voting for and against, entered on the journal.

No bill which creates or establishes a new office, or which creates, continues or revives a debt or charge, or makes, continues or revives any appropriation of public or trust money, or property, or releases, discharges or commutes any claim or demand of the State, or which imposes, continues or revives a tax, shall be passed except by the affirmative vote of a majority of all the members elected to each house, the vote to be by the yeas and nays, and the names of the members voting for and against, entered on the journal. Every law imposing, continuing or reviving a tax shall specifically state such tax, and no law shall be construed as so stating such tax, which requires a reference to any other law or any other tax.

The presiding officer of each house shall, in the presence of the house over which he presides, sign every bill that has been passed by both houses

Digitized by Google

and duly enrolled. Immediately before this is done, all other business being suspended, the title of the bill shall be publicly read. The fact of signing shall be entered on the journal.

The amendment ratified June 19, 1928.—In the enactment of laws, one of the former constitutional requirements prescribed by section 50 was that legislative bills had to be read at length on three different calendar days in each house. While the journals of the two houses necessarily showed compliance with the constitutional requirements, yet it was notorious that it was not practicable to read bills at length on three different calendar days in each house. The amendment eliminates the absurdity, and requires the reading of bills by title but not at length on three different calendar days in each house. This change merely conforms the Constitution to the practice. Even if it were practicable, the reading of bills at length in each house would be unnecessary in all reason, because the bills are printed, and all persons who so desire may read them as many times as they please. In addition to the foregoing change in meaning, immaterial changes in the phraseology of the section are made.

Sec. 51. Standing committee on special, private and local legislation.

There shall be a joint committee of the General Assembly, consisting of seven members appointed by the House of Delegates, and five members appointed by the Senate, which shall be a standing committee on special, private and local legislation. Before reference to a committee, as provided by section fifty, any special, private, or local bill introduced in either house shall be referred to and considered by such joint committee and returned to the house in which it originated, with a statement in writing whether the object of the bill can be accomplished under general law or by court proceedings; whereupon, the bill, with the accompanying statement, shall take the course provided by section fifty. The joint committee may be discharged from the consideration of a bill by the house in which it originated, in the manner pro-

Digitized by Google

vided in section fifty for the discharge of other committees.

Sec. 52. Law shall embrace but one object, which shall be expressed in its title; how laws revived or amended.

No law shall embrace more than one object which shall be expressed in its title; nor shall any law be revived or amended with reference to its title, but the act revived or the section amended shall be re-enacted and published at length.

Sec. 53. Time when laws take effect.

No law, except a general appropriation law, shall take effect until at least ninety days after the adjournment of the session of the General Assembly at which it is enacted, unless in case of an emergency (which emergency shall be expressed in the body of the bill) the General Assembly shall otherwise direct, by a vote of four-fifths of the members voting in each house such vote to be taken by the yeas and nays, and the names of the members voting for and against entered on the journal.

Sec. 54. Impeachments; proceeding under; extent of judgment under; indictment, et cetera, to lie.

The Governor, Lieutenant Governor, Attorney General, judges, members of the State Corporation Commission, and executive officers at the seat of government, and all officers appointed by the Governor or elected by the General Assembly, offending against the State by malfeasance in office, corruption, neglect of duty, or other high crime or misdemeanor, may be impeached by the House of Delegates, and prosecuted before the Senate which shall have the sole power to try impeachments. When sitting for that purpose, the

Digitized by Google

senators shall be on oath or affirmation, and no person shall be convicted without the concurrence of two-thirds of the senators present. Judgment in case of impeachment shall not extend further than removal from office and disqualification to hold and enjoy any office of honor, trust, or profit under the State; but the person convicted shall nevertheless be subject to indictment, trial, judgment, and punishment according to law. The Senate may sit during the recess of the General Assembly for the trial of impeachments.

Sec. 55. Apportionment of State into congressional districts by General Assembly.

The General Assembly shall by law apportion the State into districts, corresponding with the number of representatives to which it may be entitled in the House of Representatives of the Congress of the United States; which districts shall be composed of contiguous and compact territory containing as nearly as practicable, an equal number of inhabitants.

Sec. 56. Directions to General Assembly concerning elections and declaring offices vacant.

The manner of conducting and making returns of elections, of determining contested elections, and of filling vacancies in office, in cases not specially provided for by this Constitution, shall be prescribed by law, and the General Assembly may declare the cases in which any office shall be deemed vacant where no provision is made for that purpose in this Constitution.

Sec. 57. Power of General Assembly to remove disabilities.

The General Assembly shall have power, by a two-thirds vote, to remove disabilities incurred

Digitized by Google

under section twenty-three, of article two, of this Constitution, with reference to duelling.

Sec. 58. Prohibitions on General Assembly as to suspension of writ of habeas corpus, and enactment of laws referring to religion and other laws.

The privileges of the writ of habeas corpus shall not be suspended unless when, in cases of invasion or rebellion, the public safety may require. The General Assembly shall not pass any bill of attainder, or any ex-post facto law, or any law impairing the obligation of contracts, or any law abridging the freedom of speech or of the press. It shall not enact any law whereby private property shall be taken or damaged for public uses, without just compensation, the term "public uses" to be defined by the General Assembly. No man shall be compelled to frequent or support any religious worship, place, or ministry, whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief; but all men shall be free to profess and by argument to maintain their opinions in matters of religion, and the same shall in no wise diminish, enlarge, or affect, their civil capacities. And the General Assembly shall not prescribe any religious test whatever, or confer any peculiar privileges or advantages on any sect or denomination, or pass any law requiring or authorizing any religious society, or the people of any district within this State, to levy on themselves, or others any tax for the erection or repair of any house of public worship, or for the support of any church or ministry; but it shall be left free to every person to select his religious instructor, and to make for his support such private contract as he shall please.

Digitized by Google

The amendment ratified June 19, 1928.—The General Assembly is not allowed under section 58 to enact any law whereby private property may be taken or damaged for public uses, without just compensation. Formerly, what constituted a public use was a judicial question to be decided by the courts. (Richmond v. Carneal, 129 Va. 388, 394; 106 S. E. 403—excess condemnation case.) The amendment allows the General Assembly to define the term "public uses". The amendment transfers from the courts to the General Assembly the power to declare what constitutes a public use. Formerly, it was a judicial question; under the amendment, it is a legislative question.

Sec. 59. General Assembly shall not incorporate churches or religious denominations; may secure church property.

The General Assembly shall not grant a charter of incorporation to any church or religious denomination, but may secure the title to church property to an extent to be limited by law.

Sec. 60. Lotteries and sale of lottery tickets prohibited.

No lottery shall hereafter be authorized by law; and the buying, selling, or transferring of tickets or chances in any lottery shall be prohibited.

Sec. 61. Formation, division and consolidation of counties.

No new county shall be formed with an area of less than six hundred square miles; nor shall the county or counties from which it is formed be reduced below that area; nor shall any county be reduced in population below eight thousand. But any county, the length of which is three times its mean breadth, or which exceeds fifty miles in length, may be divided at the discretion of the General Assembly.

The General Assembly may provide for the consolidation of existing counties on a vote of a majority of the qualified voters of each of such counties voting at an election held for that purpose.

Digitized by Google

The amendment ratified June 19, 1928.—The Constitution of 1902 in its original form did not contain any provision concerning the consolidation of counties. Under the amendment to section 61, if the General Assembly should desire to consolidate two or more counties, the question must be submitted to the people of the counties concerned and receive a favorable vote of a majority of the qualified voters of each of the counties voting at an election held for the purpose; otherwise there can be no consolidation.

Sec. 62. Power of the General Assembly to enact liquor laws.

The General Assembly may enact laws controlling, regulating, or prohibiting the manufacture or sale of intoxicating liquors.

Sec. 63. Powers of the General Assembly and limitations thereon.

The authority of the General Assembly shall extend to all subjects of legislation, not herein forbidden or restricted; and a specific grant of authority in this Constitution upon a subject shall not work a restriction of its authority upon the same or any other subject. The omission in this Constitution of specific grants of authority heretofore conferred shall not be construed to deprive the General Assembly of such authority, or to indicate a change of policy in reference thereto, unless such purpose plainly appear.

The General Assembly shall confer on the courts power to grant divorces, change the names of persons, and direct the sales of estates belonging to infants and other persons under legal disabilities, and shall not, by special legislation, grant relief in these or other cases of which the courts or other tribunals may have jurisdiction.

The General Assembly may regulate the exercise by courts of the right to punish for contempt.

The General Assembly shall not enact any local, special or private law in the following cases:

Digitized by Google

1. For the punishment of crime.
2. Providing a change of venue in civil or criminal cases.
3. Regulating the practice in, or the jurisdiction of, or changing the rules of evidence in any judicial proceedings or inquiry before the courts or other tribunals, or providing or changing the methods of collecting debts or enforcing judgments or prescribing the effect of judicial sales of real estate.
4. Changing or locating county seats.
5. For the assessment and collection of taxes, except as to animals which the General Assembly may deem dangerous to the farming interests.
6. Extending the time for the assessment or collection of taxes.
7. Exempting property from taxation.
8. Remitting, releasing, postponing, or diminishing any obligation or liability of any person, corporation or association to the State or to any political subdivision thereof.
9. Refunding money lawfully paid into the treasury of the State or the treasury of any political subdivision thereof.
10. Granting from the treasury of the State, or granting, or authorizing to be granted from the treasury of any political subdivision thereof, any extra compensation to any public officer, servant, agent, or contractor.
11. For conducting elections or designating the places of voting.
12. Regulating labor, trade, mining or manufacturing, or the rate of interest on money.
13. Granting any pension.
14. Creating, increasing, or decreasing, or authorizing to be created, increased, or decreased, the salaries, fees, percentages, or allow-

Digitized by Google

ances of public officers during the term for which they are elected or appointed.

15. Declaring streams navigable, or authorizing the construction of booms or dams therein, or the removal of obstructions therefrom.

16. Affecting or regulating fencing or the boundaries of land, or the running at large of stock.

17. Creating private corporations, or amending, renewing, or extending the charters thereof.

18. Granting to any private corporation, association, or individual any special or exclusive right, privilege or immunity.

19. Naming or changing the name of any private corporation or association.

20. Remitting the forfeiture of the charter of any private corporation, except upon the condition that such corporation shall thereafter hold its charter subject to the provisions of this Constitution, and the laws passed in pursuance thereof.

The amendment ratified June 19, 1928.—Elementary and fundamental is the principle that "The power of the legislature of the State is supreme, except so far as it is restrained by the State or Federal Constitution." (Moss v. County of Tazewell, 112 Va. 878, 881.) A State constitution is a restraining instrument; the Federal Constitution is a granting instrument. The legislative body of a State has all the powers not prohibited to it by the State or Federal Constitution; Congress has only such powers as are conferred upon or granted to it by the Federal Constitution. A State constitution is the measure of what the legislative body of the State may not do; the Federal Constitution is the measure of what the Congress may do. It is inaccurate to say that our State Constitution grants power to the General Assembly. It does not grant power in a single instance; it takes away power in many instances. While we frequently find such phrases in the Constitution as "The General Assembly may" do this or that, or "The General Assembly shall have power" to do this or that, yet it is understood that these so-called grants of power are either purely declaratory and confer no power whatever, or are in fact restrictions, except that in some instances the effect is to remove or modify restrictions

Digitized by Google

imposed by the same Constitution. It is manifest, therefore, that the amendment to section 63 is purely declaratory. This amendment reads as follows:

> "The authority of the General Assembly shall extend to all subjects of legislation, not herein forbidden or restricted; and a specific grant of authority in this Constitution upon a subject shall not work a restriction of its authority upon the same or any other subject. The omission in this Constitution of specific grants of authority heretofore conferred shall not be construed to deprive the General Assembly of such authority, or to indicate a change of policy in reference thereto, unless such purpose plainly appear."

Sec. 64. General Assembly shall enact general laws in cases mentioned in preceding section, and wherever general laws will apply; amendment or partial repeal of general law shall not enact special law; restrictions as to laws.

In all cases enumerated in the last section, and in every other case which, in its judgment, may be provided for by general laws, the General Assembly shall enact general laws. Any general law shall be subject to amendment or repeal, but the amendment or partial repeal thereof shall not operate directly or indirectly to enact, and shall not have the effect of enactment of, a special, private, or local law.

No general or special law shall surrender or suspend the right and power of the State, or any political subdivision thereof, to tax corporations and corporate property, except as authorized by article thirteen. No private corporation, association, or individual shall be specially exempted from the operation of any general law, nor shall its operation be suspended for the benefit of any private corporation, association, or individual.

Sec. 65. Powers of local and special legislation may be conferred by General Assembly, by general law, on supervisors and councils.

The General Assembly may, by general laws,

Digitized by Google

confer upon the boards of supervisors of counties, and the councils of cities and towns, such powers of local and special legislation as it may, from time to time, deem expedient, not inconsistent with the limitations contained in this Constitution.

Sec. 66. Clerk of House of Delegates to be Keeper of the Rolls, without compensation.

The Clerk of the House of Delegates shall be Keeper of the Rolls of the State, but shall receive no compensation from the State for his services as such.

The amendment ratified June 19, 1928.—The General Assembly was formerly required by section 66 to prescribe by general law the number of employees of the Senate and House of Delegates, including the clerks, thereof; and to fix their compensation at a per diem for the time actually employed in the discharge of their duties. The amendment omits this detail, which clearly has no place in the organic law.

Sec. 67. Limitations on appropriations by General Assembly to charitable and other institutions; exceptions.

The General Assembly shall not make any appropriation of public funds, or personal property, or of any real estate, to any church, or sectarian society, association, or institution of any kind whatever, which is entirely or partly, directly or indirectly, controlled by any church or sectarian society; nor shall the General Assembly make any like appropriation to any charitable institution which is not owned or controlled by the State; except that it may, in its discretion, make appropriations to non-sectarian institutions for the reform of youthful criminals; but nothing herein contained shall prohibit the General Assembly from authorizing counties, cities, or towns to make such appropriations to any charitable institution or association.

Digitized by Google

Sec. 68. Auditing committee, appointment and constitution; powers and duties.

At each regular session, the General Assembly shall appoint a standing committee, consisting of two members of the Senate and three members of the House of Delegates, to be known as the auditing committee. Such committee shall annually, or oftener, in its discretion, examine the books and accounts of the State Treasurer, and all other executive officers at the seat of government whose duties pertain to auditing or accounting for the State revenue, and of the public institutions of the Commonwealth.

Such committee shall report the result of its investigations to the Governor, and cause the same to be published in two newspapers of general circulation in the State. At the beginning of each session the Governor shall submit such reports to the General Assembly.

The committee may sit during the recess of the General Assembly, receive such compensation as may be prescribed by law, and may employ one or more accountants to assist in its investigations.

The amendment ratified June 19, 1928.—In addition to immaterial changes in phraseology which do not change the legal effect, section 68 is so amended as expressly to extend the jurisdiction of the Auditing Committee of the General Assembly to the public institutions of the Commonwealth. The former section was confined to executive officers at the seat of government.

ARTICLE V.

Executive Department.

Sec. 69. Governor; term of office.

The chief executive power of the State shall be vested in a Governor. He shall hold office for a term commencing on the third Wednesday in January next succeeding his election and ending

Digitized by Google

on the Tuesday after the second Wednesday in January in the fourth year thereafter. He shall be ineligible to the same office for the term next succeeding that for which he was elected, and to any other office during his term of service.

The amendment ratified June 19, 1928.—The term of the Governor formerly commenced on the first day of February next succeeding his election, his term being four years. The amendment to section 69 provides that his term shall begin on the third Wednesday in January next succeeding his election and end on the Tuesday after the second Wednesday in January in the fourth year thereafter. The reason for this change is that the General Assembly convenes in regular session on the second Wednesday in January succeeding the Governor's election, and the postponement of the commencement of the Governor's term to February first resulted in unnecessary loss of time and waste of money owing to the fact that the General Assembly waited for the incoming Governor to take office before it proceeded seriously with legislation. Inasmuch as it requires a few days for the General Assembly to organize and get down to business, the first week of the session will not be lost. Moreover, the outgoing Governor should be given an opportunity to present his views and experiences to the General Assembly. The time saved by the change will vary according to the calendar, but it wil always be a material percentage of the session of sixty days. The change means a similar change as to the commencement of the terms of the Lieutenant Governor and Attorney General, since those officers will continue to be elected at the same time and for the same term as the Governor. (Secs. 77, 107.)

Sec. 70. How and when elected; how results ascertained; how tie or contested elections decided.

The Governor shall be elected by the qualified voters of the State at the time and place of choosing members of the General Assembly. Returns of the election shall be transmitted, under seal, by the proper officers, to the Secretary of the Commonwealth, or to such other officer as may be prescribed by law, who shall deliver them to the Speaker of the House of Delegates on the first day of the next session of the General Assembly. The Speaker of the House of Delegates shall, within three days thereafter, in the presence of a majority

Digitized by Google

of the Senate and of the House of Delegates, open the returns, and the votes shall then be counted. The person having the highest number of votes shall be declared elected; but if two or more shall have the highest and an equal number of votes, one of them shall be chosen Governor by the joint vote of the two houses of the General Assembly. Contested elections for Governor shall be decided by a like vote. The mode of proceeding in such cases shall be prescribed by law.

The amendment ratified June 19, 1928.—A consequential change is made in section 70 as to the counting of the votes. The counting, instead of being required within one week from the first day of the legislative session, is required within three days from such first day. Another change is made in section 70 in order to make provision for the transmittal of the returns of election by the proper election officers "to the Secretary of the Commonwealth, or to such officer as may be prescribed by law" instead of "to the Secretary of the Commonwealth", because section 80, as amended, permits the General Assembly to abolish the office of Secretary of the Commonwealth.

Sec. 71. Qualifications of Governor.

No person except a citizen of the United States shall be eligible to the office of Governor; and if such person be of foreign birth, he must have been a citizen of the United States for ten years next preceding his election; nor shall any person be eligible to that office unless he shall have attained the age of thirty years, and have been a resident of the State for five years next preceding his election.

Sec. 72. His place of residence and compensation.

The Governor shall reside at the seat of government. He shall receive for his services a compensation to be prescribed by law, which shall neither be increased nor diminished during the period for which he shall have been elected. While in office he shall receive no other emolument from this or any other government.

Digitized by Google

The amendment ratified June 19, 1928.—The salary of the Governor was formerly fixed by section 72 of the Constitution at five thousand dollars per annum. This provision took no account of probable future variations in the purchasing power of the dollar; and the amended section provides that the Governor shall receive for his services "a compensation to be prescribed by law, which shall neither be increased nor diminished during the period for which he shall have been elected"; thus following section 6 of Article II of the Federal Constitution in relation to the President's compensation.

Sec. 73. Duties and powers of Governor.

The Governor shall take care that the laws be faithfully executed; communicate to the General Assembly, at every session, the condition of the State; recommend to its consideration such measures as he may deem expedient, and convene the General Assembly on application of two-thirds of the members of both houses thereof, or when, in his opinion, the interest of the State may require. He shall be commander-in-chief of the land and naval forces of the State; have power to embody the militia to repel invasion, suppress insurrection and enforce the execution of the laws; conduct, either in person or in such manner as shall be prescribed by law, all intercourse with other and foreign States; and, during the recess of the General Assembly, shall have power to suspend from office for misbehavior, incapacity, neglect of official duty, or acts performed without due authority of law, all executive officers at the seat of government, except the Lieutenant Governor; but, in any case in which this power is so exercised, the Governor shall report to the General Assembly, at the beginning of the next session thereof, the fact of such suspension and the cause therefor, whereupon the General Assembly shall determine whether such officer shall be restored or finally removed.

The Governor shall have power, during the recess of the General Assembly, to appoint, pro

Digitized by Google

tempore, successors to all officers so suspended, and to fill, pro tempore, vacancies in all offices of the State for the filling of which the Constitution and laws make no other provision. Such appointments to vacancies shall be by commissions to expire at the end of thirty days after the commencement of the next session of the General Assembly.

He shall have power to remit fines and penalties under such rules and regulations as may be prescribed by law; and, except when the prosecution has been carried on by the House of Delegates, to grant reprieves and pardons after conviction; to remove political disabilities consequent upon conviction for offenses committed prior or subsequent to the adoption of this Constitution, and to commute capital punishment.

He shall communicate to the General Assembly, at each session, particulars of every case of fine or penalty remitted, of reprieve or pardon granted, and of punishment commuted, with his reasons for remitting, granting or commuting the same.

The General Assembly may, however, provide for a board, not exceeding three in number, to be appointed by the Governor, and to serve during his pleasure. Such board may be vested with any one or more or all of the following powers, which when so conferred shall be exclusive: (a) to commute capital punishment; (b) to grant reprieves or pardons in misdemeanor cases; or (c) to grant reprieves or pardons in felony cases.

The amendment ratified June 19, 1928.—The pardoning power was formerly vested exclusively in the Governor by section 73. This power extended both to felonies and misdemeanors. Its exercise has been very burdensome to executives, especially in recent years. The amendment allows the General Assembly to provide for a pardoning board, not exceeding three in number, to be appointed by the Governor, and to serve during his pleasure; but such board will have no jurisdiction over felonies. It may, however, be vested with exclusive pardoning power over sentences in misdemeanor cases. Immaterial changes in phraseology are also made in section 73.

Digitized by Google

The amendment ratified November 7, 1944.—Formerly the jurisdiction of the pardoning board authorized to be established by the General Assembly was limited to sentences in misdemeanor cases. Under the amendment of 1944 the General Assembly may vest the pardoning board "with any one or more or all of the following powers, which when so conferred shall be exclusive: (a) to commute capital punishment; (b) to grant reprieves or pardons in misdemeanor cases; or (c) to grant reprieves or pardons in felony cases."

Sec. 74. Further powers of Governor.

The Governor may require information in writing, under oath, from the officers of the executive department and superintendents of State institutions upon any subject relating to the duties of their respective offices and institutions; and he may inspect at any time their official books, accounts and vouchers, and ascertain the conditions of the public funds in their charge, and in that connection may employ accountants. He may require the opinion in writing of the Attorney General upon any question of law affecting the official duties of the Governor.

Sec. 75. Commissions and grants; how they shall run and how attested.

Commissions and grants shall run in the name of the Commonwealth of Virginia, and be attested by the Governor, with the seal of the Commonwealth annexed.

Sec. 76. Bills, duties of Governor in regard to; proceedings of General Assembly in passing bills over veto of Governor; effect of failure of Governor to sign.

Every bill which shall have passed the Senate and House of Delegates shall, before it becomes a law, be presented to the Governor. If he approve, he shall sign it; but, if not, he may return it with his objections to the house in which it originated, which shall enter the objections at

Digitized by Google

large on its journal and proceed to reconsider the same. If, after such consideration, two-thirds of the members present, which two-thirds shall include a majority of the members elected to that house, shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of all the members present, which two-thirds shall include a majority of the members elected to that house, it shall become a law, notwithstanding the objections. The Governor shall have the power to veto any particular item or items of an appropriation bill, but the veto shall not affect the item or items to which he does not object. The item or items objected to shall not take effect except in the manner heretofore provided in this section as to bills returned to the General Assembly without his approval. If he approve the general purpose of any bill, but disapprove any part or parts thereof, he may return it, with recommendations for its amendment, to the house in which it originated, whereupon the same proceedings shall be had in both houses upon the bill and his recommendations in relation to its amendment as is above provided in relation to a bill which he shall have returned without his approval, and with his objections thereto; provided, that if after such reconsideration, both houses, by a vote of a majority of the members present in each, shall agree to amend the bill, in accordance with his recommendation in relation thereto, or either house by such vote shall fail or refuse to so amend it, then, and in either case the bill shall be again sent to him, and he may act upon it as if it were then before him for the first time. But in all the cases above set forth the votes of both houses shall be determined by ayes and noes, and the names of the members voting for and against the bill, or item or items of an

Digitized by Google

appropriation bill, shall be entered on the journal of each house. If any bill shall not be returned by the Governor within five days (Sunday excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the General Assembly shall, by final adjournment, prevent such return; in which case it shall be a law if approved by the Governor, in the manner and to the extent above provided, within ten days after such adjournment, but not otherwise.

Sec. 77. Lieutenant Governor, election and qualifications.

A Lieutenant Governor shall be elected at the same time and for the same term as the Governor, and his qualifications and the manner and ascertainment of his election, in all respects, shall be the same.

Sec. 78. Duties of Lieutenant Governor.

In case of the removal of the Governor from office, or of his death, failure to qualify, resignation, removal from the State, or inability to discharge the powers and duties of the office, the said office, with its compensation, shall devolve upon the Lieutenant Governor; and the General Assembly shall provide by law for the discharge of the executive functions in other necessary cases.

Sec. 79. Lieutenant Governor shall be President of Senate; compensation as such.

The Lieutenant Governor shall be President of the Senate, but shall have no vote except in case of an equal division; and while acting as such shall receive a compensation equal to that allowed to the Speaker of the House of Delegates.

Digitized by Google

Sec. 80. Secretary of the Commonwealth.

A Secretary of the Commonwealth shall be appointed by the Governor, subject to confirmation by the General Assembly, for a term coincident with that of each Governor making the appointment; provided, however, that the first appointment under this section shall not be made until the expiration of the term of office of the Secretary of the Commonwealth, which began February first, nineteen hundred and twenty-six; but after January first, nineteen hundred and thirty-two, the election or appointment of a Secretary of the Commonwealth may be made in such manner and for such term as may be prescribed by law.

The powers and duties of the Secretary of the Commonwealth shall be prescribed by law.

On and after the first day of February, nineteen hundred and thirty, the General Assembly may abolish the office of Secretary of the Commonwealth.

The amendment ratified June 19, 1928.—The amendment aforesaid made section 80 read as above. Section 80, as it stood before the amendment of 1928, read as follows:

"A Secretary of the Commonwealth shall be elected by the qualified voters of the State at the same time and for the same term as the Governor; and the fact of his election shall be ascertained as in the case of the Governor. He shall keep a daily record of the official acts of the Governor, which shall be signed by the Governor and attested by the Secretary, and, when required, he shall lay the same, and any papers, minutes and vouchers pertaining to his office, before either house of the General Assembly. He shall discharge such other duties as may be prescribed by law. All fees received by the Secretary of the Commonwealth shall be paid into the treasury monthly."

Sec. 81. State Treasurer.

A State treasurer shall be appointed by the Governor, subject to confirmation by the General

Digitized by Google

Assembly, for a term coincident with that of each Governor making the appointment; provided, however, that the first appointment under this section, as hereby amended, shall not be made until the expiration of the term of office of the State treasurer, which began February first, nineteen hundred and twenty-six; and provided, further, that the General Assembly shall have power, by statute enacted after January first, nineteen hundred and thirty-two, to provide for the election or appointment of a State treasurer in such manner and for such term as may be prescribed by statute. No State treasurer shall be elected at the general election to be held on the Tuesday succeeding the first Monday in November, nineteen hundred and twenty-nine. The powers and duties of the State treasurer shall be prescribed by law.

The amendment ratified June 19, 1928.—The amendment aforesaid made section 81 read as above. Section 81, as it stood before the amendment of 1928, read as follows:

"A State Treasurer shall be elected by the qualified voters of the State at the same time and for the same term as the Governor; and the fact of his election shall be ascertained in the same manner. His powers and duties shall be prescribed by law."

Sec. 82. Auditor of Public Accounts.

An Auditor of Public Accounts shall be elected by the joint vote of the two Houses of the General Assembly for the term of four years. His powers and duties shall be prescribed by law.

Sec. 83. Salaries of officers of executive department.

The salary of each officer of the executive department shall be fixed by law, and shall not be increased or diminished during his term of office.

Digitized by Google

Sec. 84. Checks and balances on officers entrusted with collection of revenue, establishments of.

The General Assembly shall provide by law for the establishment and maintenance of an efficient system of checks and balances between the officers at the seat of government entrusted with the collection, receipt, custody, or disbursement of the revenues of the State.

Sec. 85. Bond of officers handling State funds.

All State officers and their deputies, assistants or employees, charged with the collection, custody, handling or disbursement of public funds, shall be required to give bond for the faithful performance of such duties; the amount of such bond in each case, and the manner in which security shall be furnished, to be specified and regulated by law.

Sec. 86. Bureau of Labor and Statistics.

The General Assembly shall have power to establish and maintain a Bureau of Labor and Statistics, under such regulations as may be prescribed by law.

Sec. 86-a. Effect of refusal of General Assembly to confirm an appointment by the Governor.

No person appointed to any office by the Governor, whose appointment is subject to confirmation by the General Assembly, under the provisions of this Constitution or any statute, shall enter upon, or continue in, office after the General Assembly shall have refused to confirm his appointment, nor shall such person be eligible for reappointment during the recess of the General Assembly to fill the vacancy caused by such refusal to confirm.

New section.—This section is new. It was ratified June 19, 1928.

Digitized by Google

ARTICLE VI.

Judiciary Department.

Sec. 87. Composition and jurisdiction.

The judicial power of the State shall be vested in a Supreme Court of Appeals, circuit courts, city courts, and such other courts, inferior to the Supreme Court of Appeals, as are hereinafter authorized, or as may be hereafter established by law. The jurisdiction of these tribunals, and of the judges thereof, except so far as conferred by this Constitution, shall be regulated by law.

The Governor may be authorized by law to appoint judges pro tempore.

The amendment ratified June 19, 1928.—Formerly, it was provided that the Judiciary Department of the State government should consist of a Supreme Court of Appeals, circuit courts, city courts, and such other courts as were authorized in Article VI of the Constitution. The only other courts authorized in that article were a Special Court of Appeals, courts of land registration, and justices of the peace. The amendment to section 87 is designed to permit the General Assembly to establish by law such other and additional courts inferior to the Supreme Court of Appeals as the public interest may require. The amendment also allows the General Assembly to authorize by law the appointment by the Governor of judges pro tempore. All courts are included. Under the former restrictive provisions of the Constitution, it was probable that the General Assembly had no power to require a case to be submitted to a judge pro tempore if either party objected to his sitting. The amendment improves the phraseology of the section and it now suggests section 1 of Article III of the Constitution of the United States.

Sec. 88. Supreme Court of Appeals; composition and jurisdiction.

The Supreme Court of Appeals shall consist of seven judges, any four of whom when convened shall form a quorum.

Digitized by Google

The judges may sit in bank, or in two divisions, consisting of not less than three judges each, as the court may, from time to time, determine. In case the court shall sit in divisions, each of such divisions shall have the full power and authority of said court in the determination of causes, the issuing of writs, and the exercise of all powers authorized by this Constitution, or provided by law, subject to the general control of the court sitting in bank, and such rules and regulations as the court may make; but no decision of any division shall become the judgment of the court unless concurred in by at least three judges; and no case involving a construction of the Constitution of this State or of the United States, shall be decided except by the court in bank and the assent of at least four of the judges shall be required for the court to determine that any law is or is not repugnant to the Constitution of this State or of the United States; and if, in a case involving the constitutionality of any such law, not more than three of the judges sitting agree in opinion on the constitutional questions involved, and the case cannot be determined without passing on such question, no decision shall be rendered therein, but the case shall be reheard by a full court; and in no case where the jurisdiction of the court depends solely upon the fact that the constitutionality of a law is involved, shall the court decide the case upon its merits, unless the contention of the appellant upon the constitutional question be sustained. In event the judges composing any division shall differ as to the judgment to be rendered in any cause, or in event any judge of either division, within a time and in a manner to be fixed by the rules to be adopted by the court, shall certify that in his opinion any decision of any division of the court is in conflict with any prior

Digitized by Google

decision of the court, or of any division thereof, the cause shall then be considered and adjudged by the full court, or a quorum thereof.

The court shall have original jurisdiction in cases of habeas corpus, mandamus and prohibition, but in other cases in which it shall have jurisdiction, shall have appellate jurisdiction only.

Subject to such reasonable rules as may be prescribed by law as to the course of appeals, the limitation as to the time, the value, amount or subject matter involved, the security required, if any, the granting or refusing of appeals, and the procedure therein, it shall, by virtue of this Constitution, have appellate jurisdiction in cases involving the constitutionality of a law as being repugnant to the Constitution of this State or of the United States, or involving the life or liberty of any person; and in such other cases as may be prescribed by law. No appeal shall be allowed to the Commonwealth in a case involving the life or liberty of a person, except that an appeal by the Commonwealth may be allowed in any case involving the violation of a law relating to the State revenue.

No bond shall be required of an accused person as a condition of appeal, but a supersedeas bond may be required where the only punishment imposed in the court below is a fine.

Each of the judges shall have the title of justice.

The judge longest in continuous service shall be chief justice; and if two or more shall have so served for the same period, the senior in years of these shall be chief justice.

The amendment ratified June 19, 1928.—In order to expedite the disposition of cases, the amendment not only increases the number of judges from five to seven, but authorizes the court to sit in two divisions consisting of not less than three judges each. Four judges when convened form a quorum of the full court.

Digitized by Google

So much of the second paragraph of the section as relates to the construction of the Constitution of this State and of the United States and to cases involving the constitutionality of laws is the pre-existing provisions made to conform to the increase in the number of judges.

The original jurisdiction of the Supreme Court of Appeals in cases of habeas corpus, mandamus and prohibition is preserved by the amendment to section 88. In all other cases in which the court has jurisdiction, the jurisdiction is appellate only, thus continuing the pre-existing law.

The General Assembly is given more power by the amendment to section 88 to regulate the appellate jurisdiction of the court. Under the amendment, the General Assembly has power to prescribe the appellate jurisdiction in matters not merely pecuniary as well as in matters merely pecuniary, except that appellate jurisdiction is guaranteed in cases involving the constitutionality of a law as being repugnant to the Constitution of this State or of the United States, or involving the life or liberty of a person. As to matters merely pecuniary, the former section since 1910 permitted the General Assembly to change the jurisdiction of the court. While the General Assembly did not exercise this power, and the minimum amount has been $300 since 1902, yet the power existed for seventeen years. The amendment leaves unimpaired this power, although the language by which it is done is entirely different from the former language.

An immaterial change is made in section 88 to confer upon each of the judges the title of justice. A change is also made to let the judge longest in continuous service be chief justice, or if two or more shall have so served for the same period, to let the senior in years of these be chief justice. The practice for many years was to elect as president the judge longest in continuous service.

Sec. 89. Special court of appeals.

The General Assembly may, from time to time, provide for a special court of appeals to try any cases on the docket of the Supreme Court of Appeals, in respect to which a majority of the judges are so situated as to make it improper for them to sit; and also to try any cases on said docket which cannot be disposed of with convenient dispatch. The said special court shall be composed of not less than three nor more than five of the judges of the circuit courts and city courts of record, or of the judges of either of said courts,

Digitized by Google

or of any of the judges of said courts, together with one or more of the judges of the Supreme Court of Appeals.

The amendment ratified June 19, 1928.—The only change made in section 89 is to make judges of city courts of record in cities of the second class eligible for places on the Special Court of Appeals. The qualifications of such judges in cities of the second class being the same as in cities of the first class, there was no reason why such judges in cities of the second class should have been discriminated against.

Sec. 90. Opinions and judgments of the Supreme Court of Appeals.

When a judgment or decree is reversed, modified or affirmed by the Supreme Court of Appeals, the reasons therefor shall be stated in writing and preserved with the record of the case. The court may, but need not, remand a case for a new trial. In any civil case, it may enter final judgment, except that judgment for unliquidated damages shall not be increased or diminished.

The amendment ratified June 19, 1928.—The amendment inserts the word "modified" after "reversed". This insertion does not change the meaning, it is fairly certain, because the greater always includes the less, and if a judgment or decree be modified, it is necessarily reversed in part and affirmed in part.

The amendment adds at the end of section 90 the following two sentences:

> "The court may, but need not, remand a case for a new trial. In any civil case, it may enter final judgment, except that judgment for unliquidated damages shall not be increased or diminished."

These two sentences must be read together. The intention is that in criminal matters the court need not remand a case for a new trial if it be of the opinion that the accused should be discharged from further prosecution. If the court be of that opinion, it may so order, thus putting an end to the case. Formerly, the court was without power to discharge an accused person from further prosecution, but was compelled to remand the case for a new trial to be had "if the Commonwealth shall be so advised", although the court could see beyond a doubt that further prosecution was equivalent to persecution. Under the amendment, the court has no power to increase or decrease

Digitized by Google

the punishment of an accused person. But in civil cases, the court may enter final judgment, with only one exception, which is that a judgment for unliquidated damages shall neither be increased nor diminished. Under section 6365 of the Code of Virginia, the appellate court in civil cases was authorized to "render final judgment upon the merits whenever, in the opinion of the court, the facts before it are such as to enable the court to attain the ends of justice." Manifestly, this language was broad enough to include, and did include, the power to increase or diminish a judgment for unliquidated damages (General Laws of Virginia, 1923, section 6365, and notes); and the taking away of this power is a reversal of policy. Such reversal, however, is not of great importance, because of the infrequency with which the court exercised the power when it existed.

Sec. 91. Qualifications and terms of judges of Supreme Court of Appeals; how chosen.

The judges of the Supreme Court of Appeals shall be chosen by the joint vote of the two houses of the General Assembly for terms of twelve years. They shall, when chosen, have held a judicial station in the United States, or shall have practiced law in this or some other State for five years.

Sec. 92. Officers of Supreme Court of Appeals.

The officers of the Supreme Court of Appeals shall be appointed by the court or by the judges in vacation. Their duties, compensation and tenure of office shall be prescribed by law.

The Supreme Court of Appeals shall have the management of the law library and the appointment of the librarian and other employees thereof.

The amendment ratified June 19, 1928.—The second paragraph of section 92, as amended, is new to section 92, but it is simply transferred from section 132.

Sec. 93. Sessions of Supreme Court of Appeals.

The Supreme Court of Appeals shall hold its sessions at two or more places in the State, as may be fixed by law.

Digitized by Google

Sec. 94. Judicial circuits, number and constitution.

The judicial circuits of the State shall continue as at present until changed as hereinafter provided.

Sec. 95. Powers of General Assembly to rearrange judicial circuits; limitations.

The General Assembly may rearrange the said circuits and increase or diminish the number thereof. But no new circuit shall be created containing, by the last United States census or other census provided by law, less than forty thousand inhabitants, nor when the effect of creating it will be to reduce the number of inhabitants in any existing circuit below forty thousand, according to such census.

Sec. 96. Circuit judges; election, qualifications; residence and term of office.

For each circuit a judge shall be chosen by the joint vote of the two houses of the General Assembly for a term of eight years. He shall, when chosen, possess the same qualifications as judges of the Supreme Court of Appeals, and during his continuance in office shall reside in the circuit of which he is judge.

Sec. 97. Terms of circuit courts; judges may be required to hold terms in other circuits.

The number of terms of the circuit courts to be held for each county and city shall be prescribed by law. But no separate circuit court shall be held for any city of the second class, until the city shall abolish its existing city court. The judge of one circuit may be required or authorized to hold court in any other circuit or city.

Digitized by Google

Sec. 98. Division of cities into classes; courts of each class, additional courts of cities, how provided; abolition and cessation of corporation or city court.

For the purpose of a judicial system, the cities of the State shall be divided into two classes.

Cities having a population of ten thousand or more, as shown by the last United States census, or other census provided by law, shall be cities of the first class and those having a population of less than ten thousand, as thus shown, shall be cities of the second class.

In each city of the first class, there may be, in addition to the circuit court, a corporation court. In any city containing thirty thousand inhabitants or more, the General Assembly may provide for such additional courts as the public interest may require, and in every such city the city courts, as they now exist, shall continue until otherwise provided by law.

In every city of the second class the corporation or hustings court now existing shall continue under the name of the corporation court of such city; but it may be abolished by a vote of a majority of the qualified voters of such city at an election held for the purpose. And whenever the office of judge of a corporation or hustings court of a city of the second class, whose annual salary is less than eight hundred dollars, shall become and remain vacant for ninety days consecutively, such court shall thereby cease to exist. In case of the abolition of the corporation or hustings court of any city of the second class, such city shall thereupon come in every respect within the jurisdiction of the circuit court of the county wherein it is situated, until otherwise provided by law; and the records of such corporation or hustings court shall thereupon become a part of the records of

Digitized by Google

such circuit court, and be transferred thereto, and remain therein until otherwise provided by law. During the existence of the corporation or hustings court, the circuit court of the county in which such city is situated shall have concurrent jurisdiction with said corporation or hustings court, in actions at law and suits in equity, unless otherwise provided by law.

The amendment ratified June 19, 1928.—During the existence of the corporation or hustings court in a city of the second class, the circuit court of the county in which such city is situated has concurrent jurisdiction under section 98 with such corporation or hustings court in all actions at law and suits in equity. The amendment makes this provision elastic by adding "unless otherwise provided by law". This change allows the General Assembly to confer exclusive original jurisdiction upon such corporation or hustings court in all cases involving residents of any such city, a step which would promote the convenience of such residents where the county seat is now distant from such city.

Under the former section 98, a city of the first class was required to have a corporation court, in addition to the circuit court. The amendment removes the compulsory feature as to the corporation court.

Sec. 99. Judges of city courts; qualifications, term of office and residence; holding court in other circuits.

For each city court of record a judge shall be chosen for a term of eight years by a joint vote of the two houses of the General Assembly. He shall, when chosen, possess the same qualifications as judges of the Supreme Court of Appeals, and during his continuance in office, shall reside within the jurisdiction of the court over which he presides; but the judge of the corporation court of any corporation having a city charter, and less than ten thousand inhabitants, may reside outside of the city limits; and such judge may be judge of such corporation court and judge of the corporation court of some other city having less than ten

Digitized by Google

thousand inhabitants. The judges of city courts may be required or authorized to hold the circuit or city courts of any county or city.

The amendment ratified June 19, 1928.—Formerly, the judge of the corporation court of any corporation having a city charter and less than five thousand inhabitants was privileged under section 99 to reside outside the city limits. The amendment enlarges this provision by substituting "ten thousand" for "five thousand." The amendment also eliminates a troublesome phrase from the last sentence of this section. That sentence declared that "The judges of city courts in cities of the first class may be required or authorized to hold the circuit courts of any county and the circuit courts of any city." This restriction to cities of the first class gave ground for strong, if not convincing, argument that formerly a judge of a city court in a city of the second class could neither be required nor authorized to hold the circuit court of any county or city or a city court of a city of the first class. (General Laws of Virginia, note under section 5898.) There being no substantial reason for this restriction, the amendment changes the sentence to read: "The judges of city courts may be required or authorized to hold the circuit or city courts of any county or city."

Sec. 100. Courts of land registration.

The General Assembly shall have power to establish such court or courts of land registration as it may deem proper for the administration of any law it may adopt for the purpose of the settlement, registration, transfer, or assurance of titles to land in the State, or any part thereof.

Sec. 101. Clerks of courts; jurisdiction in cases of wills, insane persons, et cetera.

The General Assembly may confer upon the clerks of the several courts having probate jurisdiction, jurisdiction of the probate of wills, and of the appointment and qualification of guardians, personal representatives, curators, appraisers, and committees of persons adjudged insane or convicted of felony, and in the matter of the substitution of trustees.

Digitized by Google

The amendment ratified June 19, 1928.—The General Assembly had power, under the original section 101, to confer upon the clerks of the several circuit courts jurisdiction in the matter of the admission of wills to probate and of the appointment and qualification of guardians, personal representatives, curators, appraisers, and committees of the estates of persons who have been adjudged insane or convicted of felony, and in the matter of the substitution of trustees. In McCurdy v. Smith, 107 Va. 757, 60 S. E. 78, it was held that the language of this section could not be extended to include any clerk except a clerk of a circuit court, and that the General Assembly was without power to confer this jurisdiction upon the clerks of corporation or city courts. The amendment removes this restriction and allows the General Assembly to confer this jurisdiction upon the clerk of every court having probate jurisdiction.

Sec. 102. Judges, how commissioned; salaries and allowances; terms of office; vacancies; retirement and compensation.

Judges shall be commissioned by the Governor. They shall receive such salaries and allowances as shall be prescribed by law, the amount of which shall not be diminished during their term of office. Their term of office shall commence on the first day of February next following their election. Whenever a vacancy occurs in the office of judge, his successor shall be elected for the unexpired term. The General Assembly may enact such laws as it may deem necessary for the retirement of the said judges with such compensation and such duties as it may prescribe.

The amendment ratified June 19, 1928.—The Constitution, by section 102 thereof, formerly prohibited the General Assembly from increasing the salary of any judge during his term of office. The amendment removes the prohibition, and conforms the State law to section 1 of Article III of the Constitution of the United States, in relation to Federal judges. The amendment also inserts at the end of section 102 a sentence declaring that "The General Assembly may enact such laws as it may deem necessary for the retirement of the said judges with such compensation and such duties as it may prescribe." Before the amendment the General Assembly had authority to retire judges and to provide compensation, but it was not by any means clear that the General Assembly, under the former con-

Digitized by Google

stitutional provisions, could retire a judge and at the same time provide for his utilization for substitute work. The amendment permits the enactment of a law of this kind.

Sec. 103. Salaries of judges.

The salaries of judges shall be paid out of the State treasury, but the State shall be reimbursed for one-half of the salaries of each of the circuit judges by the counties and cities composing the circuit, according to their respective populations, and of each of the judges of a city of the first class by the city in which such judge presides; except that the entire salary of the judge of the circuit court of the city of Richmond shall be paid by the State. A city may increase the salary of its circuit or city judge, or any one or more of them, such increase to be paid wholly by such city and not to be diminished during the term of office of such judge. A city containing less than ten thousand inhabitants shall pay the salary of its city judge.

The amendment ratified June 19, 1928.—Any city may, by an ordinance, increase the salaries of its city or circuit judges, or any one or more of them, as it may deem proper, and the increase is to be paid wholly by the city, but formerly could not be enlarged or diminished during the term of office of the judge. The amendment removes the restriction against increasing such compensation during the term of office of the judge. Immaterial changes in phraseology are also made in addition to the omission of a provision prescribing minimum salaries.

Sec. 104. Removal of judges for cause.

Judges may be removed from office for cause, by a concurrent vote of both houses of the General Assembly; but a majority of all the members elected to each house must concur in such vote, and the cause of removal shall be entered on the journal of each house. The judge against whom the General Assembly may be about to proceed shall have notice thereof, accompanied by a copy of

Digitized by Google

the causes alleged for his removal, at least twenty days before the day on which either house of the General Assembly shall act thereon.

Sec. 105. Judges shall not practice law or hold office of public trust; exception.

No judge of a court of record shall practice law within or without this State, nor hold any other office of public trust during his continuance in office; except that the judge of a city court in a city of the second class may hold the office of commissioner in chancery of the circuit court for the county in which the city is located.

Sec. 106. Writs and indictments.

Writs shall run in the name of the "Commonwealth of Virginia," and be attested by the clerks of the several courts. Indictments shall conclude "against the peace and dignity of the Commonwealth."

Sec. 107. Attorney General, election, commission, duties and compensation.

An Attorney General shall be elected by the qualified voters of the State at the same time and for the same term as the Governor; and the fact of his election shall be ascertained in the same manner. He shall be commissioned by the Governor, perform such duties and receive such compensation as may be prescribed by law, and shall be removable in the manner prescribed for the removal of judges.

Sec. 108. Justices of the peace.

The General Assembly may provide for the appointment or election of justices of the peace and prescribe their jurisdiction.

The amendments ratified June 19, 1928.—Section 108 of the Constitution formerly declared that "The General Assembly

Digitized by Google

shall provide for the appointment or election and for the jurisdiction of such justices of the peace as the public interest may require." The amendment makes this section read as above. The change in meaning is slight.

Sec. 109. Applications for bail.

The General Assembly shall provide by whom, and in what manner, applications for bail shall be heard and determined.

ARTICLE VII.

Organization and Government of Counties.

Sec. 110. County officers, number, terms and compensation; county organization.

There shall be elected by the qualified voters of each county a treasurer, a sheriff, an attorney for the Commonwealth, and a county clerk, who shall be the clerk of the circuit court; and there shall also be elected by the qualified voters of each county one commissioner of the revenue.

The duties and compensation of such officers shall be prescribed by general law.

There shall be appointed for each county, in such manner as may be provided by law, one county surveyor.

The General Assembly may provide for the election or appointment of a superintendent of the poor, other ministerial and executive officers for each county, and for the election or appointment of such officers for two or more counties conjointly. The provisions for such conjointly elected or appointed officers shall apply only to such counties as may adopt the same by a majority

Digitized by Google

vote of the qualified voters of each of such counties voting in any election held for such purpose.

The General Assembly may provide for the consolidation by two or more counties, or by one or more counties with one or more cities, of their charitable and penal institutions. But such consolidation shall apply only to such counties and cities as may authorize the same, in such manner as has heretofore been, or may hereafter be, prescribed by law.

Notwithstanding the provisions of this article, the General Assembly may, by general law, provide for complete forms of county organization and government different from that provided for in this article, to become effective in any county when submitted to the qualified voters thereof in an election held for such purpose and approved by a majority of those voting thereon.

The amendment ratified June 19, 1928.—The Constitution of 1902, in its original form, rigidly set up a scheme of county organization and government, and the General Assembly was powerless to comply with the demands of some of the counties for a grant of an improved system. The form originally prescribed by the Constitution was not meeting the needs of some of the counties where city conditions are fast becoming to exist; and even in other counties, it was felt by many of the people that discretion should be given the General Assembly to authorize optional forms. They were moreover of the opinion that counties and cities should have equal advantages in these respects. Consequently, the amended section 110 removes the restrictions to the extent of allowing the General Assembly, by general law, to provide for complete forms of county organization and government different from that provided for in Article VII of the Constitution, to become effective in any county when submitted to the qualified voters thereof in an election held for such purpose and approved by a majority of those voting thereon.

The former section 110 made mandatory the appointment of one superintendent of the poor for each county. The amendment strikes out this mandatory provision and enlarges the powers of the General Assembly as to the election or appointment of local officers, except those that must be elected by the people. The amendment provides that:

Digitized by Google

"The General Assembly may provide for the election or appointment of a superintendent of the poor, other ministerial officers for each county, and for the election or appointment of such officers for two or more counties conjointly. The provisions for such conjointly elected or appointed officers shall apply only to such counties as may adopt the same by a majority vote of the qualified voters of each of such counties voting in an election held for such purpose.

"General Assembly may provide for the consolidation by two or more counties, or by one or more counties with one or more cities, of their charitable and penal institutions. But such consolidation shall apply only to such counties and cities as may authorize the same, in such manner as has heretofore been, or may hereafter be, prescribed by law."

County treasurers, sheriffs, attorneys for the Commonwealth, county clerks, and commissioners of the revenue will continue to be elected by the people. Their duties and compensation will be prescribed by general law. The number of commissioners of the revenue will be restricted to one for each county, thus conforming to the Act of 1926. (Acts 1926, p. 462.) On December 31, 1927, there were 222 commissioners of the revenue in the State. In the 100 counties there were 199; and in the 23 cities, 23. Forty-five counties had one commissioner, and fifty-five had more than one. The act of 1926, therefore abolished 99 commissioners of the revenue, such abolishment having become effective January 1, 1928. There is no necessity for more than one commissioner of the revenue for a county. One commissioner will be made responsible for the work in the entire county, and not only will efficiency be thereby promoted, but substantial financial saving to the State and counties will result. Consequential changes are made in sections 111 and 113.

Sec. 111. Magisterial districts, supervisors; how chosen, powers and duties.

The magisterial districts shall, until changed by law, remain as now constituted; provided, that hereafter no additional districts shall be made containing less than thirty square miles. Subject to the provisions of section one hundred and ten, in each district there shall be elected by the qualified voters thereof, one supervisor. The supervisors of the districts shall constitute the board of supervisors of the county, which shall meet at stated periods, and at other times as often as may be necessary, lay the county and

Digitized by Google

district levies, pass upon all claims against the county, subject to such appeal as may be provided by law, and perform such duties as may be required by law.

Sec. 112. Elections for county and district officers, when held; terms of officers.

Regular elections for county and district officers shall be held on Tuesday after the first Monday in November, and such officers shall enter upon the duties of their offices on the first day of January next succeeding their election, and shall hold their respective offices for the term of four years, except that the county clerks shall hold office for eight years.

Sec. 113. No person shall hold more than one office at the same time. Additional security may be required of officer.

Subject to the provisions of section one hundred and ten foregoing, no person shall at the same time hold more than one of the offices mentioned in this article. Any officer required by law to give bond may be required to give additional security thereon, or to execute a new bond, and in default of so doing his office shall be declared vacant.

Sec. 114. County not responsible for acts of sheriffs.

Counties shall not be made responsible for the acts of the sheriffs.

Sec. 115. Examination of books, accounts, et cetera, of officers handling public funds.

The General Assembly shall provide for the examination of the books, accounts and settlements of county and city officers who are charged with the collection and disbursement of public funds.

Digitized by Google

Sec. 115-a. Power of counties and districts to borrow money and to issue evidences of indebtedness restricted.

No debt shall be contracted by any county, or by or on behalf of any district of any county, or by or on behalf of any school board of any county, or by or on behalf of any school district in any county, except in pursuance of authority conferred by the General Assembly by general law; and the General Assembly shall not authorize any county, or any district of any county, or any school board of any county, or any school district in any county, to contract any debt except to meet casual deficits in the revenue, a debt created in anticipation of the collection of the revenue of the said county, board or district for the then current year, or to redeem a previous liability, unless in the general law authorizing the same provision be made for the submission to the qualified voters of the proper county or district, for approval or rejection, by a majority vote of the qualified voters voting in an election, on the question of contracting such debt; and such approval shall be a prerequisite to contracting such debt. No scrip, certificate or other evidence of county or district indebtedness shall be issued except for such debts as are expressly authorized in this Constitution or by the laws made in pursuance thereof.

New section ratified June 19, 1928.—The constitutional limitation upon the bonded indebtedness of cities and towns is eighteen per centum of the assessed valuation of the taxable real estate in such cities and towns, respectively. (Section 127.) There is no similar constitutional limitations upon the bonded indebtedness of counties and districts. The ability to find willing purchasers of bonds was formerly the only limitation, since the General Assembly usually passed special acts for local bond issues upon the mere request of the representatives in the Assembly from the county concerned, and more often than not, no vote of the people was required. Generally, such special acts were sought in order to avoid a vote of the people, such vote

Digitized by Google

being necessary under the general statutes. In some instances special acts were sought in order that the general law limitations on the amounts might be exceeded. The evil of the free issuance of bonds in counties and districts without a vote of the people is intended to be checked by the above new section, numbered 115-a. The gist of the section is the reasonable requirement that every proposal to issue bonds must have public support. Such public support being required, there will be no necessity for the passage of special acts, consequently it is provided that all future bond issues must be under general laws.

ARTICLE VIII.

Organization and Government of Cities and Towns.

Sec. 116. Definitions of "cities" and "towns."

As used in this article the words "incorporated communities" shall be construed to relate only to cities and towns. All incorporated communities, having within defined boundaries a population of five thousand or more, shall be known as cities; and all incorporated communities, having within defined boundaries a population of less than five thousand, shall be known as towns. In determining the population of such cities and towns the General Assembly shall be governed by the last United States census, or such other enumeration as may be made by authority of the General Assembly; but nothing in this section shall be construed to repeal the charter of any incorporated community of less than five thousand inhabitants having a city charter at the time of the adoption of this Constitution, or to prevent the abolition by such incorporated communities of the corporation or hustings court thereof.

Digitized by Google

Sec. 117. General Assembly shall enact laws for government of cities and towns; how special act therefor passed; as to city charters existing at adoption of Constitution.

(a) General laws for the organization and government of cities and towns shall be enacted by the General Assembly, and no special act shall be passed in relation thereto, except in the manner provided in article four of this Constitution, and then only by a recorded vote of two-thirds of the members elected to each house. But each of the cities and towns of the State having at the time of the adoption of this Constitution a municipal charter may retain the same, except so far as it shall be repealed or amended by the General Assembly; provided, that every such charter is hereby amended to conform to all the provisions, restrictions, limitations and powers set forth in this article, or otherwise provided in this Constitution.

(b) The General Assembly may, by general law or by special act (passed in the manner provided in article four of this Constitution) provide for the organization and government of cities and towns without regard to, and unaffected by any of the provisions of this article, except those of sections one hundred and twenty-four, one hundred and twenty-five (except so far as the provisions of section one hundred and twenty-five recognize the office of mayor and the power of veto), one hundred and twenty-six and one hundred and twenty-seven of this article, and except those mentioned in subsection (d) of this section. The term "council," as used in any of said sections, shall include the body exercising legislative authority for the city or town, and all ordinances enacted and resolutions adopted by such body shall have the same force and effect for all pur-

Digitized by Google

poses, as if enacted or adopted in accordance with the provisions of section one hundred and twenty-three of this article. But such organization and government shall apply only to such cities or towns as may thereafter adopt the same by a majority vote of those qualified voters of any such city or town voting in any election to be held for the purpose, as may be provided by law.

(c) The General Assembly, at the request of any city or town, made in manner provided by law, may grant to it any special form of organization and government authorized by sub-section (b) of this section, and subject to all of the provisions of that sub-section, except that it shall not be necessary for such city or town to thereafter adopt the same.

(d) Any laws or charters enacted pursuant to the provisions of this section shall be subject to the provisions of this Constitution relating expressly to judges and clerks of courts, attorneys for the Commonwealth, commissioners of revenue, city treasurers and city sergeants.

(e) Any form of organization and government authorized by any provisions of this section which may have been adopted heretofore by any city or town pursuant to any act of the General Assembly enacted before such provisions became effective, and which is now in operation, is hereby declared legal and valid ab initio, and shall have the same force and effect as if it had been authorized by this Constitution at the time of its adoption.

Sec. 118. Clerks of city courts, elections, duties and number; only one in city of less than thirty thousand inhabitants.

In each city which has a court in the office of which deeds are admitted to record, there shall be elected, for a term of eight years, by the

Digitized by Google

qualified voters of such city, a clerk of said court, who shall perform such duties as may be required by law.

There shall be elected in like manner and for a like term all such additional clerks of courts for cities as the General Assembly may prescribe, or as are now authorized by law, so long as such courts shall continue in existence. In a city of less than thirty thousand inhabitants there shall be not more than one clerk of the court, who shall be clerk of all the courts of record in such city.

Sec. 119. Commonwealth's attorney in cities; commissioner of revenue in cities.

In every city, so long as it has a corporation court, or a separate circuit court, there shall be elected, for a term of four years, by the qualified voters of such city, one attorney for the Commonwealth, who shall also, in those cities having a separate circuit court, be the attorney for the Commonwealth for such circuit court.

In every city there shall be elected one commissioner of the revenue for a term of four years.

The duties and compensation of such officers shall be prescribed by law.

Sec. 120. City officers, their titles, election, powers and duties.

In every city there shall be elected, by the qualified voters thereof, one city treasurer, for a term of four years; one city sergeant, for a term of four years, whose duties shall be prescribed by law; and a mayor for a term of four years, who shall be the chief executive officer of such city. All city and town officers, whose election or appointment is not provided for by this Constitution, shall be elected by the electors of such cities or towns, or of some division thereof, or appointed by such

Digitized by Google

authorities thereof as the General Assembly shall designate.

The mayor shall see that the duties of the various city officers, members of the police and fire departments, whether elected or appointed, in and for such city, are faithfully performed. He shall have power to investigate their acts, have access to all books and documents in their offices, and may examine them and their subordinates on oath. The evidence given by persons so examined shall not be used against them in any criminal proceedings. He shall also have power to suspend such officers, and the members of the police and fire departments, and to remove such officers, and also such members of said departments, when authorized by the General Assembly, for misconduct in office or neglect of duty, to be specified in the order of suspension or removal; but no such removal shall be made without reasonable notice to the officer complained of, and an opportunity afforded him to be heard in person, or by counsel, and to present testimony in his defense. From such order of suspension or removal, the city officer so suspended or removed shall have an appeal of right to the corporation court, or, if there be no such court, to the circuit court of such city, in which court the case shall be heard de novo by the judge thereof, whose decision shall be final. He shall have all the other powers and duties which may be conferred and imposed upon him by general laws.

Sec. 121. City council, composition, how elected, powers and duties; ineligibility of members to certain offices; powers and duties as to reapportionments; when mandamus against council lies.

There shall be in every city a council, composed of two branches, having a different number of

Digitized by Google

members, whose powers and terms of office shall be prescribed by law, and whose members shall be elected by the qualified voters of such city, in the manner prescribed by law, but so as to give, as far as practicable, to each ward of such city, equal representation in each branch of said council in proportion to the population of such ward; but the General Assembly may permit the council to consist of one branch.

No member of the council shall be eligible, during his tenure of office as such member, or for one year thereafter, to any office to be filled by the council by election or appointment.

The council of every city may, in a manner prescribed by law, increase or diminish the number, and change the boundaries, of the wards thereof, and shall, in the year nineteen hundred and thirty-three, and in every tenth year thereafter, and also whenever the boundaries of such wards are changed, reapportion the representation in the council among the wards in a manner prescribed by law; and whenever the council of any such city shall fail to perform the duty so prescribed, a mandamus shall lie on behalf of any citizen thereof to compel its performance.

The amendment ratified June 19, 1928.—According to the former language of section 121, the General Assembly might permit a city council to consist of one branch "in cities of under ten thousand population." This provision was quite harmless, because of the broad language of section 117, but the amendment nevertheless strikes out the words "in cities of under ten thousand population." An immaterial change in phraseology is also made.

Section 122. Election and terms of office of city officers.

The mayors and councils of cities shall be elected on the second Tuesday in June, and their terms of office shall begin on the first day of September, succeeding. All other elective officers,

Digitized by Google

provided for by this article, or hereafter authorized by law, shall be elected on the Tuesday after the first Monday in November, and their terms of office shall begin on the first day of January succeeding, except that the terms of office of clerks of the city courts shall begin coincidently with that of the judges of said courts; provided, that the General Assembly may change the time of election of all or any of the said officers, except that the election and the beginning of the terms of mayors and councils of cities shall not be made by the General Assembly to occur at the same time with the election and beginning of the terms of office of the other elective officers provided for by this Constitution.

Sec. 123. Ordinances, proceedings to pass over veto of mayor; as to appropriation ordinances vetoed.

Every ordinance, or resolution having the effect of an ordinance, shall, before it becomes operative, be presented to the mayor. If he approve he shall sign it, but if not, if the council consist of two branches, he may return it with his objections in writing, to the clerk, or other recording officer, of that branch in which it originated; which branch shall enter the objections at length on its journal and proceed to reconsider it. If after such consideration two-thirds of all the members elected thereto shall agree to pass the ordinance or resolution, it shall be sent, together with the objections, to the other branch, by which it shall likewise be considered, and if approved by two-thirds of all the members elected thereto, it shall become operative, notwithstanding the objections of the mayor. But in all such cases the votes of both branches of the council shall be determined by yeas and nays, and the names of the members

Digitized by Google

voting for and against the ordinance or resolution shall be entered on the journal of each branch. If the council consist of a single branch, the mayor's objections, in writing, to any ordinance, or resolution having the effect of an ordinance, shall be returned to the clerk, or other recording officer of the council, and be entered at length on its journal; whereupon the council shall proceed to reconsider the same. Upon such consideration the vote shall be taken in the same manner as where the council consists of two branches, and if the ordinance or resolution be approved by two-thirds of all the members elected to the council, it shall become operative, notwithstanding the objections of the mayor. If any ordinance or resolution shall not be returned by the mayor within five days (Sunday excepted) after it shall have been presented to him, it shall become operative in like manner as if he had signed it, unless his term of office, or that of the council, shall expire within said five days.

The mayor shall have the power to veto any particular item or items of an appropriation ordinance or resolution; but the veto shall not affect any item or items to which he does not object. The item or items objected to shall not take effect except in the manner provided in this section as to ordinances or resolutions not approved by the mayor. No ordinance or resolution appropriating money exceeding the sum of one hundred dollars, imposing taxes, or authorizing the borrowing of money, shall be passed, except by a recorded affirmative vote of a majority of all the members elected to the council or to each branch thereof where there are two; and in case of the veto by the mayor of such ordinance or resolution, it shall require a recorded affirmative vote of two-thirds of all the members elected to the council, or to each branch

Digitized by Google

thereof where there are two, to pass the same over such veto in the manner provided in this section. Nothing contained in this section shall operate to repeal or amend any provision in any existing city charter requiring a two-thirds vote for the passage of any ordinance as to the appropriation of money, imposing taxes or authorizing the borrowing of money.

Sec. 124. Consent of corporate authorities necessary to use of streets, alleys, or public grounds by certain companies or persons.

No street railway, gas, water, steam or electric heating, electric light or power, cold storage, compressed air, viaduct, conduit, telephone or bridge company, nor any corporation, association, person or partnership engaged in these or like enterprises, shall be permitted to use the streets, alleys, or public grounds of a city or town without the previous consent of the corporate authorities of such city or town.

Sec. 125. Sale of corporate property and granting of franchises by cities and towns.

The rights of no city or town in and to its water front, wharf property, public landings, wharves, docks, streets, avenues, parks, bridges, and other public places, and its gas, water, and electric works shall be sold, except by an ordinance or resolution passed by a recorded affirmative vote of three-fourths of all the members elected to the council, or to each branch thereof where there are two, and under such other restrictions as may be imposed by law; and in case of the veto by the mayor of such an ordinance or resolution, it shall require a recorded affirmative vote of three-fourths of all the members elected to the council, or to each branch thereof where there are two, had in the manner heretofore provided for in this

Digitized by Google

article, to pass the same over the veto. No franchise, lease or right of any kind to use any such public property or any other public property or easement of any description, in a manner not permitted to the general public, shall be granted for a longer period than thirty years. Before granting any such franchise or privilege for a term of years, except for a trunk railway, the municipality shall first, after due advertisement, receive bids therefor publicly, in such manner as may be provided by law, and shall then act as may be required by law. Such grant, and any contract in pursuance thereof, may provide that upon the termination of the grant the plant as well as the property, if any, of the grantee in the streets, avenues, and other public places shall thereupon, without compensation to the grantee, or upon the payment of a fair valuation therefor, be and become the property of the said city or town; but the grantee shall be entitled to no payment by reason of the value of the franchise; and any such plant or property acquired by a city or town may be sold or leased, or, if authorized by law, maintained, controlled and operated, by such city or town. Every such grant shall specify the mode of determining any valuation therein provided for and shall make adequate provisions by way of forfeiture of the grant, or otherwise, to secure efficiency of public service at reasonable rates, and the maintenance of the property in good order throughout the term of the grant. Nothing herein contained shall be construed as preventing the General Assembly from prescribing additional restrictions on the powers of cities and towns in granting franchises or in selling or leasing any of their property, or as repealing any additional restriction now required in relation thereto in any existing municipal charter.

Digitized by Google

Sec. 126. Corporate limits, contraction or extension of, General Assembly shall provide for.

The General Assembly shall provide by general laws for the extension and the contraction, from time to time, of the corporate limits of cities and towns; and no special act for such purpose shall be valid.

Sec. 127. Concerning bonded indebtedness of cities and towns.

No city or town shall issue any bonds or other interest-bearing obligations for any purpose, or in any manner, to an amount which, including existing indebtedness, shall, at any time, exceed eighteen per centum of the assessed valuation of the real estate in the city or town subject to taxation, as shown by the last preceding assessment for taxes; provided, however, that nothing above contained in this section shall apply to those cities and towns whose charters existing at the adoption of this Constitution authorize a larger percentage of indebtedness than is authorized by this section; and provided, further, that in determining the limitation of the power of a city or town to incur indebtedness there shall not be included the following classes of indebtedness.

(a) Certificates of indebtedness, revenue bonds or other obligations issued in anticipation of the collection of the revenues of such city or town for the then current year; provided that such certificates, bonds or other obligations mature within one year from the date of their issue, and be not past due, and do not exceed the revenue for such year.

(b) Bonds authorized by an ordinance enacted in accordance with section one hundred and twenty-three, and approved by the affirmative vote of

Digitized by Google

the majority of the qualified voters of the city or town voting upon the question of their issuance, at the general election next succeeding the enactment of the ordinance, or at a special election held for that purpose, for a supply of water or other specific undertaking from which the city or town may derive a revenue; but from and after a period to be determined by the council, not exceeding five years from the date of such election, whenever and for so long as such undertaking fails to produce sufficient revenue to pay for cost of operation and administration (including interest on bonds issued therefor), and the cost of insurance against loss by injury to persons or property, and an annual amount to be covered into a sinking fund sufficient to pay, at or before maturity, all bonds issued on account of said undertaking, all such bonds outstanding shall be included in determining the limitation of the power to incur indebtedness, unless the principal and interest thereof be made payable exclusively from the receipts of the undertaking.

Sec. 128. (Omitted.)

Section repealed June 19, 1928.—Real estate and tangible personal property having been segregated for local taxation only, section 128 has been omitted and thereby repealed as no longer of value. That section declared that "In cities and towns the assessment of real estate and personal property for the purpose of municipal taxation, shall be the same as the assessment thereof for the purpose of State taxation, whenever there shall be a State assessment of such property."

ARTICLE IX.

Education and Public Instruction.

Sec. 129. Free schools to be maintained.

The General Assembly shall establish and maintain an efficient system of public free schools throughout the State.

Digitized by Google

Sec. 130. State Board of Education; composition; vacancies, how filled.

The general supervision of the school system shall be vested in a State Board of Education, to be appointed by the Governor, subject to confirmation by the General Assembly, and to consist of seven members. The first appointment under this section shall be one member for one year, two members for two years, two members for three years, and two members for four years, and thereafter all appointments shall be made for a term of four years, except appointments to fill vacancies, which shall be for the unexpired terms.

The amendment ratified June 19, 1928.—The general supervision of the public free school system was formerly vested by section 130 in a State Board of Education, composed of the Governor, Attorney General, Superintendent of Public Instruction, and three experienced educators who were elected quadrennially by the Senate, from a list of eligibles, consisting of one from each of the faculties, and nominated by the respective boards of visitors or trustees, of the University of Virginia, the Virginia Military Institute, the Virginia Polytechnic Institute, the State Teachers College at Farmville, the School for the Deaf and Blind, and the College of William and Mary. The board thus constituted selected and associated with itself two division superintendents of schools, one from a county and the other from a city, who held office for two years, and whose powers and duties were identical with those of the other members, except that they were prohibited from participating in the appointment of any public school official. Any vacancy occurring during the term of any member of the board was filled for the unexpired term by the board.

This novel composition of the State Board of Education was the subject of much discussion and unfavorable comment. One of the chief grounds of criticism was that five out of the eight members of the board were far removed from the people. Recognizing the dissatisfaction which existed, the amendment reorganizes the State Board of Education. Under the amendment to section 130, seven members constitute the board. They are appointed by the Governor, subject to confirmation by the General Assembly. The first appointments are, one member for a term of one year; two members for a term of two years; two members for a term of three years, and two members for a term of four years, and thereafter, all appointments will be for a term of four years, except appointments to fill vacancies which will be for the unexpired terms.

Digitized by Google

Sec. 131. Superintendent of Public Instruction.

A superintendent of public instruction, who shall be an experienced educator, shall be appointed by the Governor, subject to confirmation by the General Assembly, for a term coincident with that of each Governor making the appointment; provided, however, that the first appointment under this section, as hereby amended, shall not be made until the expiration of the term of office of the superintendent of public instruction, which began February first, nineteen hundred and twenty-six; and provided, further, that the General Assembly shall have power, by statute enacted after January first, nineteen hundred and thirty-two, to provide for the election or appointment of a Superintendent of Public Instruction in such manner and for such term as may be prescribed by statute. No Superintendent of Public Instruction shall be elected at the general election to be held on the Tuesday succeeding the first Monday in November, nineteen hundred and twenty-nine. The powers and duties of the Superintendent of Public Instruction shall be prescribed by law.

The amendment ratified June 19, 1928.—The amendment aforesaid made section 131 read as above. Section 131, as it stood before the amendment of 1928, read as follows:

"The Superintendent of Public Instruction, who shall be an experienced educator, shall be elected by the qualified voters of the State at the same time and for the same term as the Governor. Any vacancy in said office shall be filled for the unexpired term by the said board.

"His duties shall be prescribed by the State Board of Education, of which he shall be ex-officio president; and his compensation shall be fixed by law."

Sec. 132. Powers and duties of State Board of Education.

The duties and powers of the State Board of Education shall be as follows:

Digitized by Google

First. It shall divide the State into appropriate school divisions, comprising not less than one county or city each, but no county or city shall be divided in the formation of such divisions. It shall certify to the local school board or boards of each division in the State a list of persons having reasonable academic and business qualifications for division superintendent of schools, one of whom shall be selected as the superintendent of schools for such division by the said school board or boards, as provided by section one hundred and thirty-three of this Constitution.

Second. It shall have the management and investment of the school fund under regulations prescribed by law.

Third. It shall have such authority to make rules and regulations for the management and conduct of the schools as the General Assembly may prescribe; but until otherwise provided by law, the State Board of Education may continue existing rules and regulations in force and amend or change the same.

Fourth. It shall select textbooks and educational appliances for use in the schools of the State, exercising such discretion as it may see fit in the selection of books suitable for the schools in the cities and counties, respectively; provided, however, the General Assembly may prescribe the time in which the State Board of Education may change the textbooks.

The amendment ratified June 19, 1928.—Under the former section 132 the State Board of Education appointed, subject to confirmation by the Senate, one division superintendent of schools for each school division. Such superintendent held office for four years. This provision as to the appointment of division superintendents by the State Board of Education gave rise to insistent demands for some modification. The amendment of section 132 directs the State Board of Education to certify to the local school board or boards of each school division in the State, a list of persons having reasonable academic and

Digitized by Google

business qualifications for division superintendent of schools, one of whom is to be selected as the superintendent of schools for such division by the said local school board or boards, as provided by section 133 of the Constitution. This change, it was thought, would meet the dissatisfaction which existed and would bring closer home to the people their responsibility in the matter of the government of the public free school system.

The State Board of Education formerly had authority, by direct constitutional grant (Section 132), to make all needful rules and regulations for the management and conduct of the schools, which, when published and distributed, were delcared to have the force and effect of law, subject to the authority of the General Assembly to revise, amend or repeal the same. The amendment repeals this direct grant of legislative authority and in lieu thereof allows the General Assembly to confer upon the State Board of Education authority to make rules and regulations for the management and conduct of the schools. This change is material and logical. It is necessary that the State Board of Education shall have authority to make rules and regulations, but this authority should be derived, not by direct constitutional grant, as was formerly the case, but should come through the General Assembly, as is now required. Until otherwise provided by law, the State Board of Education may continue existing rules and regulations in force and may amend or change the same.

The subject of the selection of textbooks by the State Board of Education has been the subject of controversy for many years. Under the former section 132 the board had plenary power in selecting textbooks and educational appliances. The amendment provides that this power will hereafter be subject to the qualification that the General Assembly may prescribe the time in which the State Board of Education may change the textbooks.

Under the original section 132 the State Board of Education appointed a board of directors for the State Library, and the board of directors in turn appointed the State librarian and other employees of the library. The amendment omits these provisions as involving excessive detail in the organic law. The subject is properly one for legislative and not constitutional regulation. The provision that the Supreme Court of Appeals shall have the management of the law library and the appointment of the librarian and other employees thereof, has been transferred from section 132 to section 92.

Sec. 133. School districts; school trustees.

The supervision of schools in each county and city shall be vested in a school board, to be composed of trustees to be selected in the manner,

Digitized by Google

for the term and to the number provided by law. Each magisterial district shall constitute a separate school district, unless otherwise provided by law, and the magisterial district shall be the basis of representation on the school board of such county or city, unless some other basis is provided by the General Assembly; provided, however, that in cities of one hundred and fifty thousand or over, the school boards of respective cities shall have power, subject to the approval of the local legislative bodies of said cities, to prescribe the number and boundaries of the school districts.

There shall be appointed by the school board or boards of each school division, one division superintendent of schools, who shall be selected from a list of eligibles certified by the State Board of Education and shall hold office for four years. In the event that the local board or boards fail to elect a division superintendent within the time prescribed by law, the State Board of Education shall appoint such division superintendent.

The amendment ratified June 19, 1928.—Under statutory provisions, the local school trustees comprising the local school boards have the direct supervision of the schools in their respective counties and cities. Section 133 of the Constitution, as it stood before the amendment of 1928, provided that in each school district there should be not more than three trustees selected in the manner and for the term of office prescribed by law, and by statute the number was and is restricted to one trustee from each school district. Under the former section 133, as well as under the present section 133, each magisterial district constitutes a separate school district unless otherwise provided by law. The amended section 133 expressly declares that the supervision of the schools in each county and city shall be vested in a local school board to be composed of trustees to be selected in the manner, for the term, and to the number provided by law. It also expressly declares that the magisterial district shall be the basis of representation on the school board of each county, unless some other basis is provided by the General Assembly, but that in cities of one hundred and fifty thousand population or over, the school boards of such cities may, subject to the approval of the local legislative bodies thereof, prescribe the number and boundaries of the school districts.

Digitized by Google

Under section 133, as amended, one of the most important powers of the local school boards is the appointment of division superintendents of schools. Each division superintendent is selected from a list of eligibles, certified by the State Board of Education, and the term of each division superintendent is four years, the same as formerly. If the local board or boards of a school division fail to elect a division superintendent within the time prescribed by law, the State Board of Education is empowered to appoint such division superintendent.

Sec. 134. Literary fund.

The General Assembly shall set apart as a permanent and perpetual literary fund, the present literary fund of the State; the proceeds of all public lands donated by Congress for public free school purposes; of all escheated property; of all waste and unappropriated lands; of all property accruing to the State by forfeiture, and all fines collected for offenses committed against the State, and such other sums as the General Assembly may appropriate; provided that when and so long as the principal of the literary fund amounts to as much as ten million dollars, the General Assembly may set aside all or any part of moneys thereafter received into the principal of said fund for public school purposes including teachers retirement fund to be held and administered in such manner as may be provided by general law.

The amendment ratified November 7, 1944.—The effect of the amendment aforesaid is to empower the General Assembly, when and so long as the principal of the literary fund amounts to as much as ten million dollars, to use moneys which would otherwise be credited to such principal to establish or contribute to some permanent fund, such as the teachers' retirement fund, or other fund restricted solely to public school purposes.

Sec. 135. Appropriations for school purposes, school age.

The General Assembly shall apply the annual interest on the literary fund; that portion of the

Digitized by Google

capitation tax provided for in the Constitution to be paid into the State treasury, and not returnable to the counties and cities; and an amount equal to the total that would be received from an annual tax on property of not less than one nor more than five mills on the dollar to the schools of the primary and grammar grades, for the equal benefit of all the people of the State, to be apportioned on a basis of school population; the number of children between the ages of seven and twenty years in each school district to be the basis of such apportionment. And the General Assembly shall make such other appropriations for school purposes as it may deem best, to be apportioned on a basis to be provided by law.

The amendment ratified June 19, 1928.—Changes in phraseology are made in section 135 on the subject of school funds and their apportionment. These changes simply conform the section to the segregation plan of taxation. The legal effect of the amended section is the same as the former section. Under both the original section and the amended section, the only money which must be apportioned on a basis of school population for the benefit of the schools of the primary and grammar grades is the annual interest on the literary fund, one dollar of the State capitation tax of one dollar and fifty cents, and an amount equal to an annual tax on property of not less than one nor more than five mills on the dollar. The last sentence of the amended section, which provides that "The General Assembly shall make such other appropriations for school purposes as it may deem best, to be apportioned on a basis to be provided by law", is merely declaratory of the pre-existing law.

Sec. 136. Local school taxes.

Each county, city or town, if the same be a separate school district, and school district is authorized to raise additional sums by a tax on property, subject to local taxation, not to exceed in the aggregate in any one year a rate of levy to

Digitized by Google

be fixed by law, to be apportioned and expended by the local school authorities of said counties, cities, towns and districts in establishing and maintaining such schools as in their judgment the public welfare may require; provided that such primary schools as may be established in any school year shall be maintained at least four months of that school year, before any part of the fund assessed and collected may be devoted to the establishment of schools of higher grade. The boards of supervisors of the several counties, and the councils of the several cities and towns, if the same be separate school districts, shall provide for the levy and collection of such local school taxes.

Sec. 137. Agricultural, normal, manual training and technical schools.

The General Assembly may establish agricultural, normal, manual training and technical schools, and such grades of schools as shall be for the public good.

Sec. 138. Compulsory education.

The General Assembly may, in its discretion, provide for the compulsory education of children of school age.

Sec. 139. Free textbooks.

Provision shall be made to supply children attending the public schools with necessary textbooks in cases where the parent or guardian is unable, by reason of poverty, to furnish them.

Sec. 140. Mixed schools prohibited.

White and colored children shall not be taught in the same school.

Digitized by Google

Sec. 141. State appropriations prohibited to schools or institutions of learning not owned or exclusively controlled by the State or some sub-division thereof; exceptions to rule.

No appropriation of public funds shall be made to any school or institution of learning not owned or exclusively controlled by the State or some political sub-division thereof; provided, first, that the General Assembly may, in its discretion, continue the appropriations to the College of William and Mary; second, that this section shall not be construed as requiring or prohibiting the continuance or discontinuance by the General Assembly of the payment of interest on certain bonds held by certain schools and colleges as provided by an act of the General Assembly, approved February twenty-third, eighteen hundred and ninety-two, relating to bonds held by schools and colleges; third, that counties, cities, towns, and districts may make appropriations to non-sectarian schools of manual, industrial, or technical training, and also to any school or institution of learning owned or exclusively controlled by such county, city, town, or school district.

Sec. 142. Boards of visitors and trustees of educational institutions, how appointed, and term of office.

Members of the boards of visitors or trustees of educational institutions shall be appointed as may be provided by law, and shall hold for the term of four years; provided, that at the first appointment, if the board be of an even number, one-half of them, or, if an odd number, the least majority of them, shall be appointed for two years.

Digitized by Google

ARTICLE X.

Agriculture and Immigration.

Sec. 143. Department of Agriculture and Immigration, where maintained, how controlled, composition, qualification of members, how appointed and term of office.

There shall be a Department of Agriculture and Immigration, which shall be permanently maintained at the capital of the State, and which shall be under the management and control of a Board of Agriculture and Immigration, composed of one member from each congressional district, who shall be a practical farmer, appointed by the Governor for a term of four years, subject to confirmation by the Senate, and the president of the Virginia Polytechnic Institute, who shall be ex-officio member of the board.

Sec. 144. Powers and duties of same.

The powers and duties of the board shall be prescribed by law; provided, that it shall have power to elect and remove its officers, and establish elsewhere in the State subordinate branches of said department.

Sec. 145. Commissioner of Agriculture and Immigration.

A commissioner of Agriculture and Immigration shall be appointed by the Governor, subject to confirmation by the General Assembly, for a term

Digitized by Google

coincident with that of each Governor making the appointment; provided, however, that the first appointment under this section, as hereby amended, shall not be made until the expiration of the term of office of the Commissioner of Agriculture and Immigration, which began February first, nineteen hundred and twenty-six; and provided, further, that the General Assembly shall have power, by statute enacted after January first, nineteen hundred and thirty-two, to provide for the election or appointment of a Commissioner of Agriculture and Immigration in such manner and for such terms as may be prescribed by statute. No Commissioner of Agriculture and Immigration shall be elected at the general election to be held on the Tuesday succeeding the first Monday in November, nineteen hundred and twenty-nine. The powers and duties of the Commissioner of Agriculture and Immigration shall be prescribed by law.

The amendment ratified June 19, 1928.—The amendment aforesaid made section 145 read as above. Section 145, as it stood before the amendment of 1928, read as follows:

"There shall be a Commissioner of Agriculture and Immigration, whose term of office shall be four years, and who shall be elected by the qualified voters of the State, and whose powers and duties shall be prescribed by the Board of Agriculture and Immigration until otherwise provided by law."

Sec. 146. President of Board of Agriculture and Immigration to be ex-officio member of board of visitors of Virginia Polytechnic Institute.

The President of the Board of Agriculture and Immigration shall be ex-officio a member of the board of visitors of the Virginia Polytechnic Institute.

Digitized by Google

ARTICLE XI.

Public Welfare and Penal Institutions.

Sec. 147. Public welfare, charitable, reformatory, or penal institutions.

Such public welfare, charitable, sanitary, benevolent, reformatory or penal institutions as the claims of humanity and the public good may require shall be established and operated by the Commonwealth under such organization and in such manner as the General Assembly may prescribe.

Unless otherwise prescribed by law, the existing institutions and laws with respect thereto shall continue.

The amendment ratified June 19, 1928.—The six sections comprising the original Article XI (Sections 147 to 152, both inclusive) went into great detail as to the control and management of State prisons and hospitals. Such detail not being appropriate in the organic law, but being appropriate in ordinary legislation, the revision omits and repeals all of the said sections except sections 147 and 152. The amended section 147 reads as above. The amended section 152 abolishes as useless the office of Commissioner of State Hospitals for the Insane.

Sec. 148. (Omitted.)

See note under section 147.

Sec. 149. (Omitted.)

See note under section 147.

Sec. 150. (Omitted.)

See note under section 147.

Sec. 151. (Omitted.)

See note under section 147.

Digitized by Google

Sec. 152. Office of commissioner of State hospitals abolished.

The office of commissioner of State hospitals for the insane is hereby abolished.

The amendment ratified June 19, 1928.—See note under section 147.

ARTICLE XII.

Corporations.

Sec. 153. Definition of terms used in article; article not to conflict with Federal Constitution.

As used in this article, the term "corporation" or "company" shall include all trust, associations and joint stock companies having any powers or privileges not possessed by individuals or unlimited partnerships, and exclude all municipal corporations and public institutions owned or controlled by the State; the term "charter" shall be construed to mean the charter of incorporation by, or under, which any such corporation is formed; the term "transportation company" shall include any company, trustee, or other person owning, leasing or operating for hire a railroad, street railway, canal, steamboat or steamship line, and also any freight car company, car association, or car trust, express company, or company, trustee or person in any way engaged in business as a common carrier over a route acquired in whole or in part under the right of eminent domain; the term "rate" shall be construed to mean "rate of charge for any service rendered or to be rendered"; the terms "rate," "charge" and "regulation" shall include joint rates, joint charges,

Digitized by Google

and joint regulations respectively; the term, "transmission company" shall include any company owning, leasing or operating for hire any telegraph or telephone line; the term "freight" shall be construed to mean any property transported, or received for transportation by any transportation company; the term "public service corporation" shall include all transportation and transmission companies, all gas, electric light, heat and power companies, and all persons authorized to exercise the right of eminent domain, or to use or occupy any street, alley or public highway, whether along, over, or under the same, in a manner not permitted to the general public; the term "person," as used in this article, shall include individuals, partnerships and corporations, in the singular as well as plural number; the term "bond" shall mean all certificates or written evidences of indebtedness issued by any corporation and secured by mortgage or trust deed; the term "frank" shall be construed to mean any writing or token, issued by, or under authority of, a transmission company, entitling the holder to any service from such company free of charge. The provisions of this article shall always be so restricted in their application as not to conflict with any of the provisions of the Constitution of the United States, and as if the necessary limitations upon their interpretation had been herein expressed in each case.

Sec. 154. As to chartering a corporation, and legislation relating thereto by General Assembly; surrender of charters; special acts regulating corporations prohibited.

The creation of corporations, and the extension and amendment of charters (whether heretofore

Digitized by Google

or hereafter granted), shall be provided for by general laws, and no charter shall be granted, amended or extended by special act, nor shall authority in such matters be conferred upon any tribunal or officer, except to ascertain whether the applicants have, by complying with the requirements of the law, entitled themselves to the charter, amendment or extension applied for, and to issue, or refuse, the same accordingly. Such general laws may be amended or repealed by the General Assembly; and all charters and amendments of charters, now existing and revocable, or hereafter granted or extended, may be repealed at any time by special act. Provision shall be made, by general laws, for the voluntary surrender of its charter by any corporation, and for the forfeiture thereof for non-user or mis-user. The General Assembly shall not, by special act, regulate the affairs of any corporation, nor, by such act, give it any rights, powers or privileges.

Sec. 155. State Corporation Commission; how selected; term of office; how vacancies filled; who ineligible; qualifications of at least one member; how removed or impeached; officers, how selected; rules of order and procedure; general provisions; salaries.

There shall be a permanent commission, to consist of three members, which shall be known as the State Corporation Commission. Their regular term of office shall be six years, respectively. Whenever a vacancy in the commission shall occur, the Governor shall forthwith appoint a qualified person to fill the same for the unexpired term, subject to confirmation by the General Assembly or until his successor be chosen as provided by law. Commissioners selected for

Digitized by Google

regular terms shall, at the beginning of the terms for which selected, and those appointed to fill vacancies, shall immediately upon their selection or appointment, enter upon the duties of their office. The commissioners shall be elected by the General Assembly. The present commissioners shall continue in office until the expiration of their present terms. The terms of their successors shall begin on the first day of February next succeeding their selection.

No person while employed by, or holding any office in relation to, any transportation or transmission company, or while in any wise financially interested therein, or while engaged in practicing law, shall hold office as a member of said commission, or perform any of the duties thereof. Nor shall any such person be interested, either directly or indirectly, in any insurance company, association or fraternal organization, or in any bank, trust or other like company doing business in this State and which is by law made subject to the supervision of said State Corporation Commission, but this section shall not be so construed as to prevent any such person from being a policyholder in any insurance company, insurance association, or fraternal organization.

At least one of the commissioners shall have the qualifications prescribed for judges of the Supreme Court of Appeals; and any commissioner may be impeached or removed in the manner provided for the impeachment or removal of a judge of said court.

The commission shall annually elect one of its members chairman of the same, and shall have one clerk, and such other clerks, officers, assistants and subordinates as may be provided by law, all of whom shall be appointed, and subject to removal by the commission. It shall prescribe its own rules

Digitized by Google

of order and procedure, except so far as the same are specified in this Constitution or any amendment thereof.

The General Assembly may establish within the department, and subject to the supervision and control of the commission, subordinate divisions, or bureaus of insurance, banking or other special branches of the business of that department.

All sessions of the commission shall be public, and a permanent record shall be kept of all its judgments, rules, orders, findings and decisions, and of all reports made to or by it. Two of the commissioners shall constitute a quorum for the exercise of the judicial, legislative and discretionary functions of the commission, whether there be a vacancy in the commission or not, except as otherwise provided by law, but a quorum shall not be necessary for the exercise of its administrative functions, which are mandatory. The commission shall keep its office open for business on every day except Sundays and legal holidays.

Transportation companies shall at all times transport, free of charge, within this State, the members of said commission, and its officers, or any of them, when engaged on their official duties.

The General Assembly shall provide suitable quarters for the commission and funds for its lawful expenses, including pay for witnesses summoned, and costs of executing processes issued by the commission of its own motion; and shall fix the salaries of the members of the commission.

The amendment ratified June 19, 1928.—The original manner of selecting members of the State Corporation Commission under section 155 of the Constitution was by appointment by the Governor, subject to confirmation by the General Assembly in joint session. Such members were so selected until 1918, when, by virtue of authority contained in section 155, the General Assembly enacted a statute providing for the election of the members by the qualified voters of the State, such authority

Digitized by Google

having existed since January 1, 1908 (Acts 1918, p. 108). In 1926, however, the General Assembly repealed the statute of 1918 and reverted to appointment by the Governor; and such was the law on June 19, 1928 (Acts 1926, p. 48). The amendment ratified on that day amends section 155 so as to provide one method for the selection of the commissioners—that is to say, by election by the General Assembly. The amendment, however, continues the former language of section 155 as to the filling of vacancies.

No person while employed by, or holding any office in relation to, any transportation or transmission company, or while in any wise financially interested therein, or while engaged in practicing law, may hold office as a member of the State Corporation Commission, or perform any of the duties thereof (section 155). The amendment extends this prohibition so as to prevent members of the State Corporation Commission from being interested, either directly or indirectly, in any insurance company, association, or fraternal organization, or in any bank, trust or other like company, doing business in this State, and which is by law made subject to the supervision of the commission; but members of the commission may be policyholders in insurance companies, insurance associations or fraternal organizations.

Formerly, two of the commissioners constituted a quorum for the transaction of business, whether there was a vacancy in the commission or not (section 155). The amendment modifies this provision so as to provide that a quorum shall not be necessary for the exercise of the administrative functions of the commission which are mandatory, but that two of the commissioners shall constitute a quorum for the exercise of the judicial, legislative and discretionary functions of the commission, whether there be a vacancy in the commission or not, except as otherwise provided by law.

The amendment to section 155 omits the provisions as to the minimum salary of members as well as a provision requiring the commission to employ a bailiff. Both of these omissions are made because the subjects are, and should be, covered by ordinary legislation. Other immaterial omissions are also made.

Sec. 156. Powers, duties and method of procedure of commission.

(a) Subject to the provisions of this Constitution and to such requirements, rules and regulations as may be prescribed by law, the State Corporation Commission shall be the department of government through which shall be issued all charters and amendments or extensions thereof,

Digitized by Google

for domestic corporations, and all licenses to do business in this State to foreign corporations; and through which shall be carried out all the provisions of this Constitution, and of the laws made in pursuance thereof, for the creation, visitation, supervision, regulation and control of corporations chartered by, or doing business in, this State.

The commission shall prescribe the forms of all reports which may be required of such corporations by this Constitution or by law. It shall have all the rights and powers of, and perform all the duties devolving upon, the railroad commissioner and the board of public works on July tenth, nineteen hundred and two, except so far as they are or may be inconsistent with the law or this Constitution.

(b) The commission shall have the power and be charged with the duty of supervising, regulating and controlling all transportation and transmission companies doing business in this State, in all matters relating to the performance of their public duties and their charges therefor, and of correcting abuses therein by such companies; and to that end the commission shall, from time to time, prescribe and enforce against such companies, in the manner hereinafter authorized, such rates, charges, classifications of traffic, and rules and regulations, and shall require them to establish and maintain all such public service facilities and convenience as may be reasonable and just, which said rates, charges, classifications, rules, regulations and requirements the commission may, from time to time, alter or amend. All rates, charges, classifications, rules and regulations adopted, or acted upon, by any such company, inconsistent with those prescribed by the commission, within the scope of its authority, shall be unlawful and void.

Digitized by Google

The commission shall also have the right at all times to inspect the books and papers of all transportation and transmission companies doing business in this State, and to require from such companies, from time to time, special reports and statements, under oath, concerning their business; it shall keep itself fully informed of the physical condition of all the railroads of the State, as to the manner in which they are operated, with reference to the security and accommodation of the public, and shall, from time to time, make and enforce such requirements, rules and regulations as may be necessary to prevent unjust or unreasonable discriminations by any transportation or transmission company in favor of, or against, any person, locality, community, connecting line, or kind of traffic, in the matter of car service, train or boat schedule, efficiency of transportation or otherwise, in connection with the public duties of such company.

Before the commission shall prescribe or fix any rate, charge, or classification of traffic, and before it shall make any order, rule, regulation or requirement directed against any one or more companies by name, the company or companies to be affected by such rate, charge, classification, order, rule, regulation or requirement shall first be given, by the commission, at least ten days' notice of the time and place when and where the contemplated action in the premises will be considered and disposed of, and shall be afforded a reasonable opportunity to introduce evidence and to be heard thereon, to the end that justice may be done, and shall have process to enforce the attendance of witnesses; and before the commission

Digitized by Google

shall make or prescribe any general order, rule, regulation or requirement, not directed against any specific company or companies by name, the contemplated general order, rule, regulation or requirement shall first be published in substance, not less than once a week for four consecutive weeks in one or more of the newspapers of general circulation published in the City of Richmond, Virginia, together with notice of the time and place when and where the commission will hear any objections which may be urged by any person interested, against the proposed order, rule, regulation or requirement; and every such general order, rule, regulation or requirement made by the commission shall be published at length, for the time and in the manner above specified, before it shall go into effect, and shall also, as long as it remains in force, be published in each subsequent annual report of the commission.

The authority of the commission (subject to review on appeal as hereinafter provided) to prescribe rates, charges and classifications of traffic for transportation and transmission companies shall be paramount; but its authority to prescribe any other rules, regulations or requirements for corporations or other persons shall be subject to the superior authority of the General Assembly to legislate thereon by general laws; provided, however, that nothing in this section shall impair the right which has heretofore been, or may hereafter be, conferred by law upon the authorities of any city, town or county to prescribe rules, regulations or rates of charge to be observed by any public service corporation in connection with any services performed by it under

Digitized by Google

a municipal or county franchise granted by such city, town or county, so far as such services may be wholly within the limits of the city, town or county granting the franchise. Upon the request of the parties interested, it shall be the duty of the commission, as far as possible, to effect, by mediation, the adjustment of claims, and the settlement of controversies, between transportation or transmission companies and their patrons.

(c) In all matters pertaining to the public visitation, regulation or control of corporations, and within the jurisdiction of the commission, it shall have the powers and authority of a court of record, to administer oaths, to compel the attendance of witnesses and the production of papers, to punish for contempt any person guilty of disrespectful or disorderly conduct in the presence of the commission while in session, and to enforce compliance with any of its lawful orders or requirements by adjudging and enforcing by its own appropriate process, against the delinquent or offending company (after it shall have been first duly cited, proceeded against by due process of law before the commission sitting as a court, and afforded opportunity to introduce evidence and to be heard, as well against the validity, justness or reasonableness of the order or requirement alleged to have been violated, as against the liability of the company for the alleged violation), such fines or other penalties as may be prescribed or authorized by this Commission or by law.

The commission may be vested with such additional powers, and charged with such other duties (not inconsistent with this Constitution) as may be prescribed by law, in connection with the visitation, regulation or control of corpora-

Digitized by Google

tions, or with the prescribing and enforcing of rates and charges to be observed in the conduct of any business where the State has the right to prescribe the rates and charges in connection therewith, or with the assessment of the property of corporations, or the appraisement of their franchises, for taxation, or with the investigation of the subject of taxation generally.

Any corporation failing or refusing to obey any valid order or requirement of the commission, within such reasonable time, not less than ten days, as shall be fixed in the order, may be fined by the commission (proceeding by due process of law as aforesaid) such sum, not exceeding five hundred dollars, as the commission may deem proper, or such sum, in excess of five hundred dollars, as may be prescribed, or authorized by law; and each day's continuance of such failure or refusal, after due service upon such corporation of the order or requirement of the commission, shall be a separate offense; provided, that should the operation of such order or requirement be suspended pending an appeal therefrom, the period of such suspension shall not be computed against the company in the matter of its liability to fines or penalties.

(d) From any action of the commission prescribing rates, charges or classifications of traffic, or affecting the train schedule of any transportation company, or requiring additional facilities, conveniences or public service of any transportation or transmission company, or refusing to approve a suspending bond, or requiring additional security thereon, or an increase thereof, as provided for in subsection (e) of this section, an appeal (subject to such reasonable limitation as to time, regulations as to procedure and provisions as to costs, as may be prescribed by law) may be

Digitized by Google

taken by the corporation whose rates, charges or classifications of traffic, schedule, facilities, conveniences or service are affected, or by any person deeming himself aggrieved by such action, or (if allowed by law) by the Commonwealth. Until otherwise provided by law, such appeal shall be taken in the manner in which appeals may be taken to the Supreme Court of Appeals from the inferior courts, except that such an appeal shall be of right, and the Supreme Court of Appeals may provide by rule for proceedings in the matter of appeals in any particular in which the existing rules of law are applicable. If such appeal be taken by the corporation whose rates, charges or classifications of traffic, schedules, facilities, conveniences or service are affected, the Commonwealth shall be made the appellee; but, in the other cases mentioned, the corporation so affected shall be made the appellee.

The General Assembly may also, by general laws, provide for appeals from any other action of the commission, by the Commonwealth or by any person interested, irrespective of the amount involved. All appeals from the commission shall be to the Supreme Court of Appeals only; and in all appeals to which the Commonwealth is a party it shall be represented by the Attorney General or his legally appointed representatives. No court of this Commonwealth (except the Supreme Court of Appeals, by way of appeal as herein authorized) shall have jurisdiction to review, reverse, correct or annul any action of the commission, within the scope of its authority, or to suspend or delay the execution or operation thereof, or to enjoin, restrain or interfere with the commission in the performance of its official duties; provided, however, that the writs of mandamus and prohibition shall lie from the Supreme Court

Digitized by Google

of Appeals to the commission in all cases where such writs, respectively, would lie to any inferior tribunal or officers.

(e) Upon the granting of an appeal a writ of supersedeas may be awarded by the appellate court, suspending the operation of the action appealed from until the final disposition of the appeal, but, prior to the final reversal thereof by the appellate court, no action of the commission prescribing or affecting the rates, charges or classifications of traffic of any transportation or transmission company shall be delayed, or suspended, in its operation, by reason of any appeal by such corporation, or by reason of any proceedings resulting from such appeal, until a suspending bond shall first have been executed, and filed with, and approved by, the commission (or approved on review by the Supreme Court of Appeals), payable to the Commonwealth, and sufficient in amount and security to insure the prompt refunding, by the appealing corporation to the parties entitled thereto, of all charges which such company may collect or receive, pending the appeal, in excess of those fixed, or authorized, by the final decision of the court on appeal. The commission, upon the execution of such bond, shall forthwith require the appealing company, under penalty of the immediate enforcement (pending the appeal and notwithstanding any supersedeas) of the order or requirement appealed from, to keep such accounts, and to make to the commission, from time to time, such reports, verified by oath, as may, in the judgment of the commission, suffice to show the amounts being charged or received by the company, pending the appeal, in excess of the charge allowed by the action of the commission appealed from, together with the names and addresses of the persons to

Digitized by Google

whom such overcharges will be refundable in case the charges made by the company pending the appeal, be not sustained on such appeal, and the commission shall also, from time to time, require such company, under like penalty, to give additional security on, or to increase the said suspending bond, whenever, in the opinion of the commission, the same may be necessary to insure the prompt refunding of the overcharge aforesaid. Upon the final decision of such appeal, all amounts which the appealing company may have collected, pending the appeal, in excess of that authorized by such final decision, shall be promptly refunded, with legal interest from the date of collection thereof, by the company to the parties entitled thereto, in such manner, and through such methods of distribution, as may be prescribed by the commission or by law. All such appeals affecting rates, charges or classifications of traffic shall have precedence upon the docket of the appellate court, and shall be heard and disposed of promptly by the court, irrespective of its place of session, next after the habeas corpus and Commonwealth's cases already on the docket of the court.

(f) In no case of appeal from the commission shall any new or additional evidence be introduced in the appellate court; but the chairman of the commission, under the seal of the commission, shall certify to the appellate court all the facts upon which the action appealed from was based, and which may be essential for the proper decision of the appeal, together with such of the evidence introduced before, or considered by, the commission as may be selected, specified and required to be certified by any party in interest, as well as such other evidence, so introduced or considered, as the commission may deem proper to certify. The commission shall, whenever an appeal is

Digitized by Google

taken therefrom, file with the record of the case, and as a part thereof, a written statement of the reasons upon which the action appealed from was based, and such statement shall be read and considered by the appellate court upon disposing of the appeal. The appellate court shall have jurisdiction, on such appeal, to consider and determine the reasonableness and justness of the action of the commission appealed from, as well as any other matter arising under such appeal; provided, however, that the action of the commission appealed from shall be regarded as prima facie just, reasonable and correct, but the court may, when it deems necessary in the interest of justice, remand to the commission any case pending on appeal, and require the same to be further investigated by the commission, and reported upon to the court (together with a certificate of such additional evidence as may be tendered before the commission by any party in interest), before the appeal is finally decided.

(g) Whenever the court, upon appeal, shall reverse an order of the commission affecting the rates, charges or the classification of traffic of any transportation or transmission company, it shall at the same time, substitute therefor such order as, in its opinion, the commission should have made at the time of entering the order appealed from; otherwise the reversal order shall not be valid. Such substituted order shall have the same force and effect (and none other) as if it had been entered by the commission at the time the original order appealed from was entered. The right of the commission to prescribe and enforce rates, charges, classifications, rules and regulations, affecting any or all actions of the commission theretofore entered by it, and appealed from, but based upon circumstances different

Digitized by Google

from those existing at the time the order appealed from was made, shall not be suspended or impaired by reason of the pendency of such appeal; but no order of the commission, prescribing or altering such rates, charges, classifications, rules or regulations shall be retroactive.

(h) The right of any person to institute and prosecute in the ordinary courts of justice any action, suit or motion against any transportation or transmission company, for any claim or cause of action against such company, shall not be extinguished or impaired by reason of any fine or other penalty which the commission may impose, or be authorized to impose, upon such company, because of its breach of any public duty, or because of its failure to comply with any order or requirement of the commission; but, in no such proceeding by any person against such corporation, nor in any collateral proceeding, shall the reasonableness, justness or validity of any rate, charge, classification of traffic, rule, regulation or requirement, theretofore prescribed by the commission, within the scope of its authority, and then in force, be questioned; provided, however, that no case based upon or involving any order of the commission shall be heard or disposed of against the objection of either party, so long as such order is suspended in its operation by an order of the Supreme Court of Appeals, as authorized by this Constitution or by any law passed in pursuance thereof.

(i) The commission shall make annual reports to the Governor of its proceedings, in which reports it shall recommend, from time to time, such new or additional legislation in reference to its powers or duties, or the creation, supervision, regulation or control of corporations, or to the subject of taxation, as it may deem wise or expedient, or as may be required by law.

Digitized by Google

(j) In addition to the modes of amendment provided for in article fifteen of this Constitution, the General Assembly, upon the recommendation of the State Corporation Commission, may, by law, from time to time, amend sub-sections (a) to (i) inclusive, of this section, or any of them, or any such amendment thereof; provided, that no amendment made under authority of this sub-section shall contravene the provisions of any part of this Constitution other than the sub-sections last above referred to, or any such amendment thereof.

(k) All books, papers and documents pertaining to the board of public works and the office of railroad commissioner, which have been transferred to the State Corporation Commission, shall continue to be a part of its records.

The amendment ratified June 19, 1928.—In several of the paragraphs of section 156 immaterial changes in phraseology are made, while in paragraph (e) of section 156 a change is made so as to require transportation and transmission companies, in making refunds to their patrons of all amounts collected pending an appeal in rate cases, in excess of the amount authorized by the final decision of the appellate court, to pay legal interest on such refunds from the date of the original collection thereof.

Sec. 157. Fees from corporations.

Provisions shall be made by general laws for the payment of a fee to the Commonwealth by every domestic corporation, upon the granting, amendment or extension of its charter, and by every foreign corporation upon obtaining a license to do business in this State, as specified in this section; and also for the payment, by every domestic corporation and foreign corporation doing business in this State, of an annual registration fee of not less than five dollars, nor more than twenty-five dollars, which shall be irrespective of any specific license or other tax imposed by

Digitized by Google

law upon such company for the privilege of carrying on its business in this State, or upon its franchise or property; and for the making, by every such corporation (at the time of paying such annual registration fee), of such report to the State Corporation Commission, of the status, business or condition of such corporation, as the General Assembly may prescribe. No foreign corporation shall have authority to do business in this State until it shall have first obtained from the commission a license to do business in this State, upon such terms and conditions as may be prescribed by law. The failure by any corporation for two successive years to pay its annual registration fee, or to make its said annual reports, shall, when such failure shall have continued for ninety days after the expiration of such two years, operate as revocation and annulment of the charter of such corporation if it be a domestic company, or, of its license to do business in this State, if it be a foreign company, and the General Assembly shall provide additional and suitable penalties for the failure of any corporation to comply promptly with the requirements of this section, or of any laws passed in pursuance thereof. The commission shall compel all corporations to comply promptly with such requirements, by enforcing, in the manner hereinbefore authorized, such fines and penalties against the delinquent company as may be provided for, or authorized by this article; but the General Assembly may relieve from the payment of said registration fee any purely charitable institution or institutions.

Sec. 158. Effect of amendment of previously obtained charter of corporation.

Every corporation heretofore chartered in this State, which shall hereafter accept, or effect, any

Digitized by Google

amendment or extension of its charter, shall be conclusively presumed to have thereby surrendered every exemption from taxation, and every non-repealable feature of its charter and of the amendments thereof, and also all exclusive rights or privileges theretofore granted to it by the General Assembly and not enjoyed by other corporations of a similar general character; and to have thereby agreed to thereafter hold its charter and franchises, and all amendments thereof, under the provisions and subject to all the requirements, terms and conditions of this Constitution and of any laws passed in pursuance thereof, so far as the same may be applicable to such corporation.

Sec. 159. Eminent domain and police power of State never abridged.

The exercise of the right of eminent domain shall never be abridged, nor so construed as to prevent the General Assembly from taking the property and franchises of corporations and subjecting them to public use, the same as the property of individuals; and the exercise of the police power of the State shall never be abridged, nor so construed as to permit corporations to conduct their business in such manner as to infringe the equal rights of individuals or the general well being of the State.

Sec. 160. Concerning rates of transportation and transmission companies.

No transportation or transmission company shall charge or receive any greater compensation, in the aggregate, for transporting the same class of passengers or property, or for transmitting the same class of messages, over a shorter than over a longer distance, along the same line and in the same direction—the shorter being included in the

Digitized by Google

longer distance; but this section shall not be construed as authorizing any such company to charge or receive as great compensation for a shorter as for a longer distance. The State Corporation Commission may, from time to time, authorize any such company to disregard the foregoing provisions of this section, by charging such rates as the commission may prescribe as just and equitable between such company and the public, to or from any junctional or competitive points or localities, or where the competition of points located without this State may make necessary the prescribing of special rates for the protection of the commerce of this State; but this section shall not apply to mileage tickets, or to any special excursion, or commutation rates, or to special rates for services rendered to the government of this State, or of the United States, or in the interest of some public object, when such tickets or rates shall have been prescribed or authorized by the commission.

Sec. 161. Free transportation to members of General Assembly and of State, county, district, or municipal officers, except members and officers of State Corporation Commission, prohibited; penalty; policemen and firemen excepted.

No transportation or transmission company doing business in this State shall grant to any member of the General Assembly, or to any State, county, district or municipal officer, except to members and officers of the State Corporation Commission for their personal use while in office, any frank, free pass, free transportation, or any rebate or reduction in the rates charged by such company to the general public for like services. For violation of the provisions of this section the offending company shall be liable to such penalties

Digitized by Google

as may be prescribed by law; and any member of the General Assembly, or any such officer, who shall, while in office, accept any gift, privilege or benefit, prohibited by this section, shall thereby forfeit his office, and be subject to such further penalties as may be prescribed by law; but this section shall not prevent a street railway, transportation or transmission company from granting free transportation or free service, within this State, to any member of the police force or fire department while in the discharge of his official duties, nor prohibit the acceptance by any such policeman or fireman of such free transportation.

The amendment ratified June 19, 1928.—A street railway company may transport free of charge any member of a police force or fire department while in the discharge of his official duties, and such member may accept such free transportation (section 161). The amendment does not confine this provision to street railway companies, but broadens it so as to include all transportation and transmission companies within this State.

Sec. 162. Fellow-servant doctrine abolished to extent stated.

The doctrine of fellow-servant, so far as it affects the liability of the master for injuries to his servant, resulting from the acts or omissions of any other servant or servants of the common master, is, to the extent hereinafter stated, abolished as to every employee of a railroad company, engaged in the physical construction, repair or maintenance of its roadway, track or any of the structures connected therewith, or in any work in or upon a car or engine standing upon a track, or in the physical operation of a train, car, engine, or switch, or in any service requiring his presence upon a train, car or engine; and every such employee shall have the same right to recover from every injury suffered by him from the acts or omissions of any other employee or employees

Digitized by Google

of the common master, that a servant would have (at the time when this Constitution goes into effect), if such acts or omissions were those of the master himself in the performance of non-assignable duty; provided, that the injury, so suffered by such railroad employee, result from the negligence of an officer, or agent of the company of a higher grade of service than himself, or from that of a person employed by the company, having the right, or charged with the duty, to control or direct the general services of the immediate work of the party injured, or the general services or the immediate work of the co-employee through or by whose act or omission he is injured; or that it result from the negligence of a co-employee engaged in another department of labor, or engaged upon, or in charge of, any car upon which, or upon the train of which it is a part, the injured employee is not at the time receiving the injury, or who is in charge of any switch, signal point or locomotive engine, or is charged with dispatching trains or transmitting telegraphic or telephonic orders therefor and whether such negligence be in the performance of an assignable or non-assignable duty. The physical construction, repair or maintenance of the roadway, track or any of the structures connected therewith, and the physical construction, repair, maintenance, cleaning or operation of trains, cars or engines shall be regarded as different departments of labor within the meaning of this section. Knowledge by any such railroad employee injured, of the defective or unsafe character or condition of any machinery, ways, appliances or structures shall be no defense to an action for injury caused thereby. When death, whether instantaneous or not, results to such an employee from any injury for which he could have recovered, under the above provisions,

Digitized by Google

had death not occurred, then his legal or personal representative, surviving consort and relatives (and any trustee, curator, committee or guardian of such consort or relatives) shall, respectively, have the same rights and remedies with respect thereto as if his death had been caused by the negligence of a co-employee while in the performance, as vice-principal of a non-assignable duty of the master. Every contract or agreement, express or implied, made by an employee, to waive the benefit of this section, shall be null and void. This section shall not be construed to deprive any employee or his legal or personal representative, surviving consort or relatives (or any trustee, curator, committee or guardian of such consort or relatives), of any rights or remedies that he or they may have by the law of the land, at the time this Constitution goes into effect. Nothing contained in this section shall restrict the power of the General Assembly to further enlarge, for the above-named class of employees, the rights and remedies hereinbefore provided for, or to extend such rights and remedies to, or otherwise enlarge the present rights and remedies of any other class of employees of railroads or of employees of any person, firm or corporation.

Sec. 163. As to foreign corporations.

No foreign corporation shall be authorized to carry on, in this State, the business, or to exercise any of the powers or functions of a public service corporation, or be permitted to do anything which domestic corporations are prohibited from doing, or be relieved from compliance with any of the requirements made of similar domestic corporations by the Constitution and laws of this State, where the same can be made applicable to

Digitized by Google

such foreign corporation without discriminating against it. But this section shall not affect any public service corporation whose line or route extends across the boundary of this Commonwealth, nor prevent any foreign corporation from continuing in such lawful business as it may be actually engaged in within this State, when this Constitution goes into effect; but any such foreign public service corporation, so engaged, shall not, without first becoming incorporated under the laws of this State, be authorized to acquire, lease, use or operate, within this State, any public or municipal franchise or franchises, in addition to such as it may own, lease, use or operate, when this Constitution goes into effect. The property within this State, of foreign corporations, shall always be subject to attachment, the same as that of non-resident individuals; and nothing in this section shall restrict the power of the General Assembly to discriminate against foreign corporations whenever, and in whatsoever respect, it may deem wise or expedient.

Sec. 164. Right of regulation and control of common carriers and public service corporations never surrendered or abridged.

The right of the Commonwealth through such instrumentalities as it may select, to prescribe and define the public duties of all common carriers and public service corporations, to regulate and control them in the performance of their public duties, and to fix and limit their charges therefor shall never be surrendered or abridged.

Sec. 165. General Assembly shall enact laws preventing all trusts, combinations and monopolies inimical to the public welfare.

The General Assembly shall enact laws prevent-

Digitized by Google

ing all trusts, combinations and monopolies, inimical to the public welfare.

Sec. 166. Right to parallel railroads; as to building road parallel to Richmond, Fredericksburg and Potomac railroad; duties of connecting railroad.

The exclusive right to build or operate railroads parallel to its own or any other line of railroad, shall not be granted to any company; but every railroad company shall have the right, subject to such reasonable regulations as may be prescribed by law, to parallel, intersect, connect with or cross, with its roadway, any other railroad or railroads; but no railroad company shall build or operate any line of railroad not specified in its charter, or in some amendment thereof. All railroad companies whose lines of railroad connect, shall receive and transport each other's passengers, freight and loaded or empty cars, without delay or discrimination. Nothing in this section shall deprive the General Assembly of the right to prevent, by statute, repealable at pleasure, any railroad from being built parallel to the present line of the Richmond, Fredericksburg and Potomac railroad.

Sec. 167. Concerning issuance of stocks and bonds by corporations; penalty for violation.

The General Assembly shall enact general laws regulating and controlling all issues of stock and bonds by corporations. Whenever stock or bonds are to be issued by a corporation, it shall, before issuing the same, file with the State Corporation Commission a statement (verified by the oath of the president or secretary of the corporation, and in such form as may be prescribed or permitted by the commission) setting forth fully and accu-

Digitized by Google

rately the basis, or financial plan upon which such stock or bonds are to be issued; and where such basis or plan includes services or property (other than money), received or to be received by the company, such statement shall accurately specify and describe, in the manner prescribed or permitted by the commission, the services or property, together with the valuation at which the same are received or to be received; and such corporation shall comply with any other requirements or restrictions which may be imposed by law. The General Assembly shall provide adequate penalties for the violation of this section, or of any laws passed in pursuance thereof; and it shall be the duty of the commission to adjudge and enforce (in the manner hereinbefore provided), against any corporation refusing or failing to comply with the provisions of this section, or of any laws passed in pursuance thereof, such fines and penalties as are authorized by this Constitution, or may be prescribed by law.

ARTICLE XIII.

Taxation and Finance.

Sec. 168. Taxable property; taxes shall be uniform as to class of subjects and levied and collected under general laws.

All property, except as hereinafter provided, shall be taxed; all taxes, whether State, local or municipal, shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax, and shall be levied and

Digitized by Google

collected under general laws. The General Assembly may define and classify taxable subjects, and, except as to classes of property herein expressly segregated for either State or local taxation, the General Assembly may segregate the several classes of property so as to specify and determine upon what subjects State taxes, and upon what subjects local taxes may be levied.

The amendment ratified June 19, 1928.—Since January 1, 1913, the General Assembly has had the power, under section 169 of the Constitution, to segregate for the purposes of taxation, the several kinds or classes of property, so as to specify and determine upon what subjects, State taxes, and upon what subjects, local taxes may be levied. The amendment transfers this provision from section 169 to 168 and changes the phraseology to fit existing conditions. "The General Assembly may define and classify taxable subjects", the amendment states, "and except as to classes of property herein expressly segregated for either State or local taxation, the General Assembly may segregate the several classes of property so as to specify and determine upon what subjects, State taxes and upon what subjects, local taxes may be levied." It need hardly be said that before the amendment the General Assembly had the power to define and classify taxable subjects.

Sec. 169. How property assessed; General Assembly may grant cities and towns right to reduce taxation for a period of years on land added to corporate limits.

Except as hereafter provided, all assessments of real estate and tangible personal property shall be at their fair market value, to be ascertained as prescribed by law. So long as the State shall levy upon any public service corporation, other than a railway or a canal corporation, a State franchise, license, or other tax, based upon or measured by its gross receipts, or gross earnings, or any part thereof, its real estate and tangible personal property shall be assessed by the State Corporation Commission, or other central State agency, in the manner prescribed by law. The

Digitized by Google

General Assembly may allow a lower rate of taxation to be imposed for a period of years by a city or town upon land added to its corporate limits, than is imposed on similar property within its limits at the time such land is added.

The amendment ratified June 19, 1928.—So long as the State shall levy upon any public service corporation, other than a railway or a canal corporation, a State franchise, license or other tax, based upon or measured by, its gross receipts, or gross earnings, or any part thereof, the amendment to section 169 declares that its real estate and tangible personal property shall be assessed by the State Corporation Commission, or other central State agency, in the manner prescribed by law. The exception as to railway and canal corporations is made because they are covered by section 181. Under pre-existing laws, the physical properties of public service corporations are assessed by the State Corporation Commission. The object of the amendment is to continue this method of assessment, or to allow the assessment to be made by some other central State agency, conditioned upon the continuance of a State franchise, license or other tax based upon the gross receipts or gross earnings of such public service corporations.

See, also, note under Section 168 as to the transfer of the segregation provision from Section 169 to Section 168.

Sec. 170. Income, license, and State franchise taxes; taxation of shares of stock issued by corporations; taxes or assessments upon abutting landowners in cities, towns and certain counties for local public improvements; none elsewhere.

The General Assembly may levy a tax on incomes in excess of six hundred dollars per annum; may levy a license tax upon any business which cannot be reached by the ad valorem system; and may impose State franchise taxes, and in imposing a franchise tax may, in its discretion, make the same in lieu of taxes upon other property, in whole or in part, of a transportation, industrial, or commercial corporation. Whenever a franchise tax shall be imposed upon a corporation doing business, in this State, or whenever all the capital, however invested, of a corporation chartered under the

Digitized by Google

laws of the State, shall be taxed, the shares of stock issued by any such corporation shall not be further taxed. No city or town or county having the right, under this section, to impose taxes or assessments for local improvements upon abutting property owners shall impose any tax or assessment upon abutting landowners for street or other public improvements, except for making and improving the walkways upon then existing streets, and improving and paving then existing alleys, and for either the construction, or for the use of sewers; and the same when imposed, shall not be in excess of the peculiar benefits resulting therefrom to such abutting landowners. Except in cities and towns and counties having a population greater than five hundred inhabitants per square mile, as shown by the United States census, no taxes or assessments, for local public improvements, shall be imposed on abutting landowners.

The amendment of 1927.—This section was not amended in 1928. The text as above printed was taken from Acts 1927, pp. 8-10, because the latest amendment of the section was consummated at the election in November, 1927. The amendment of 1927 authorizes a county having a population greater than five hundred inhabitants per square mile, as shown by the United States census, to impose taxes or assessments upon abutting landowners for making and improving the walkways upon then existing streets, and improving and paving then existing alleys, and for either the construction, or for the use of sewers, provided that the same when imposed shall not be in excess of the peculiar benefits resulting therefrom to such abutting landowners.

Sec. 171. Real estate and tangible personal property, except the rolling stock of public service corporations, segregated for local taxation exclusively.

No State property tax for State purposes shall be levied on real estate or tangible personal property, except the rolling stock of public service

Digitized by Google

corporations. Real estate and tangible personal property, except the rolling stock of public service corporations, are hereby segregated for, and made subject to, local taxation only, and shall be assessed or re-assessed for local taxation in such manner and at such times as the General Assembly has heretofore prescribed, or may hereafter prescribe, by general laws.

The amendment ratified June 19, 1928.—The amendment prohibits the State from reimposing a State property tax for State purposes on real estate and tangible personal property, except the rolling stock of public service corporations. With the exception stated, it segregates real estate and tangible personal property for local taxation only, and such segregated property will be assessed or reassessed for local taxation in such manner and at such times as the General Assembly has heretofore prescribed, or may hereafter prescribe, by general laws. The amendment, therefore, enables, but does not compel, the General Assembly to provide by general laws for general re-assessments of lands for local taxation oftener than once in every five years. Under the former section 171, general re-assessments of lands, except in the case of the lands of railway and canal corporations and mineral lands under section 172, could not be ordered more frequently than once in every five years. Under the amendment general re-assessments may be ordered by the General Assembly either more frequently or less frequently than once in every five years.

The text of section 171 as it stood before the amendment of 1928 was as follows:

> "The General Assembly shall provide for a reassessment of real estate, in the year nineteen hundred and five, and every fifth year thereafter, except that of railway and canal corporations, which, after January the first, nineteen hundred and thirteen, may be assessed as the General Assembly may provide."

Sec. 172. Assessment of coal and mineral lands. Coal and other mineral lands shall be assessed or reassessed for local taxation, in such manner and at such times as the General Assembly has heretofore prescribed, or may hereafter prescribe, by general laws.

The amendment ratified June 19, 1928.—Section 172 formerly declared that the General Assembly should provide for the

Digitized by Google

special and separate assessment of all coal and other mineral land. In view of the adoption of segregation, the language of this section has been changed to read as above.

Sec. 173. State, county and municipal capitation taxes.

The General Assembly shall levy a State capitation tax of, and not exceeding one dollar and fifty cents per annum on every resident of the State not less than twenty-one years of age, except those pensioned by this State for military services; one dollar of which shall be applied exclusively in aid of the public free schools, and the residue shall be returned and paid by the State into the treasury of the county or city in which it was collected, to be appropriated by the proper authorities to such county or city purposes as they shall respectively determine. Such State capitation tax shall not be a lien upon, nor collected by legal process from, the personal property which may be exempt from levy or distress under the poor debtor's law. The General Assembly may authorize the board of supervisors of any county, or the council of any city or town, to levy an additional capitation tax not exceeding one dollar per annum on every such resident within its limits, to be applied to city, town or county purposes.

The amendment ratified June 19, 1928.—The former section 173, in relation to the imposition of the nominal State capitation tax, was restricted to male residents of the State not less than twenty-one years of age, except those pensioned by this State for military services. The General Assembly of Virginia, at its session of 1920, by an act approved March 20, 1920, which act was conditioned as to its taking effect upon the ratification of the then proposed Nineteenth Amendment to the Constitution of the United States, provided for the registration and voting of women, and levied a State capitation tax upon them (Acts 1920, p. 588). That the General Assembly had the power to levy the State capitation tax upon women upon their being admitted to suffrage and also to authorize the imposition of a local capitation tax upon them is clear (Breckenbridge v. County School Board, 146 Va. 1); and the amendment to section 173

Digitized by Google

omits the word "male" as no longer appropriate. The amendment also omits from section 173 the words "in proportion to the school population", in speaking of the application, in aid of the public free schools, of one dollar of the poll tax of one dollar and fifty cents, but this omission does not change the law, in view of section 135, which provides that such capitation tax money shall be apportioned on a basis of school population. Other changes, but without legal effect, are also made in section 173.

Sec. 174. Statute of limitations shall not run against State taxes; failure to assess not to defeat subsequent assessment and collection of taxes; exception as to bona fide purchaser for value.

After this Constitution shall be in force, no statute of limitations shall run against any claim of the State for taxes upon any property; nor shall the failure to assess property for taxation defeat a subsequent assessment for and collection of taxes for any preceding year or years, unless such property shall have passed to a bona fide purchaser for value, without notice; in which latter case the property shall be assessed for taxation against such purchaser from the date of his purchase.

Sec. 175. The natural oyster beds.

The natural oyster beds, rocks and shoals, in the waters of this State shall not be leased, rented or sold, but shall be held in trust for the benefit of the people of this State, subject to such regulations and restrictions as the General Assembly may prescribe, but the General Assembly may, from time to time, define and determine such natural beds, rocks or shoals by surveys or otherwise.

Sec. 176. Assessment and taxation of railroad and canal companies.

The State Corporation Commission shall annually ascertain and assess, in the manner pre-

Digitized by Google

scribed by law, the value of the roadbed and other real estate, rolling stock, and all other personal property whatsoever (except its franchise and the non-taxable shares of stock issued by other corporations) in this State, of each railway corporation, whatever its motive power, now or hereafter liable for taxation upon such property; the canal bed and other real estate, the boats and all other personal property whatsoever (except its franchise and the non-taxable shares of stock issued by other corporations) in this State, of each canal corporation, empowered to conduct transportation; and subject to such segregation of property, if any, as is provided in section one hundred and seventy-one of this Constitution, such property shall be taxed for State, county, city, town and district purposes in the manner prescribed by law, at such rates of taxation as may be imposed by them, respectively, from time to time, upon the real estate and personal property of natural persons.

The amendment ratified June 19, 1928.—See note under section 181.

Sec. 177. Franchise tax of railroad and canal companies.

Every such railway or canal corporation shall also pay an annual State franchise tax to be prescribed by law, upon the gross receipts hereinafter specified in section one hundred and seventy-eight, for the privilege of exercising its franchise in this State, which, with the taxes provided for in section one hundred and seventy-six, shall be in lieu of all other taxes or license charges whatsoever upon the franchise of such corporation, the shares of stock issued by it, or upon its property assessed under section one hundred and seventy-six; provided, that nothing herein contained shall exempt

Digitized by Google

such corporation from the annual fee required by section one hundred and fifty-seven of this Constitution, or from assessments for street and other public local improvements authorized by section one hundred and seventy; and provided, further, that nothing herein contained shall annul or interfere with or prevent any contract or agreement by ordinance between street railway corporations and municipalities, as to compensation for the use of the streets or alleys of such municipalities by such railway corporations.

The amendment ratified June 19, 1928.—See note under section 181.

Sec. 178. Amount and ascertainment of such franchise tax.

The amount of such franchise tax shall be equal to such per centum of the gross transportation receipts of such corporation for the year preceding the year for which the tax is levied, or the year for which the tax is levied, as may be prescribed by law, to be ascertained by the State Corporation Commission in the following manner:

(a) When the road or canal of the corporation lies wholly within this State, the tax shall be equal to the prescribed per centum of the entire gross transportation receipts of such corporation.

(b) When the road or canal of the corporation lies partly within and partly without this State, or is operated as a part of a line or system extending beyond this State, the tax shall be equal to the prescribed per centum of the gross transportation receipts earned within this State, to be determined as follows: By ascertaining the average gross transportation receipts per mile over its whole extent, within and without this State, and multiplying the result by the number of miles operated within this State; provided,

Digitized by Google

that from the sum so ascertained there may be a reasonable deduction because of any excess of value of the terminal facilities or other similar advantages in other States over similar facilities or advantages in this State.

The amendment ratified June 19, 1928.—See note under section 181.

Sec. 179. Reports of corporations to Corporation Commission.

Each corporation mentioned in sections one hundred and seventy-six and one hundred and seventy-seven shall annually, at the time prescribed by law, make to the State Corporation Commission a report which shall show the property taxable in this State belonging to the corporation on the date that may be prescribed by law, and its total gross transportation receipts for the year ending on that date. Upon receiving such report the State Corporation Commission shall, after thirty days' notice previously given, as provided by law, assess the value of the property of the corporation not exempt from taxation, and ascertain the amount of the franchise tax and not State taxes chargeable against it.

All taxes for which the corporation is liable shall be paid as prescribed by law.

Such taxes, until paid, shall be a lien upon the property within this State of the corporation owning the same, and take precedence of all other liens or incumbrances.

The amendment ratified June 19, 1928.—See note under section 181.

Sec. 180. Application for relief from assessment for taxation; proceedings thereunder.

The Commonwealth, or any political sub-division thereof, or a corporation, aggrieved by the as-

Digitized by Google

sessment and ascertainment made under sections one hundred and seventy-six and one hundred and seventy-eight foregoing, may, according to such course of procedure as may be prescribed by law, apply for relief first to the State Corporation Commission and then to the Circuit Court of the City of Richmond.

If the court be of opinion that the assessment or tax is excessive, it shall reduce the same; but if of opinion that it is insufficient, shall increase the same. Unless the applicant paid the taxes under protest, when due, the court, if it disallows the application, shall give judgment against it for a sum, by way of damages, equal to interest at the rate of one per centum per month upon the amount of taxes from the time the same were payable.

If the application be allowed, in whole or in part, appropriate relief shall be granted, including the right to recover any excess of taxes that may have been paid, with legal interest thereon, and costs from the State or local authorities, or both, as the case may be; the judgment to be enforceable by mandamus or other proper process issuing from the court finally adjudicating the application.

Subject to the provisions of article six of this Constitution, the Supreme Court of Appeals may allow a writ of error to either party.

The amendment ratified June 19, 1928.—See note under section 181.

Sec. 181. Legislative power over system of corporate taxation.

Notwithstanding the provisions of sections one hundred and seventy-one and one hundred and seventy-six to one hundred and eighty, inclusive, the General Assembly shall have power to change the system of taxation as to the corporations therein

Digitized by Google

mentioned to be administered by the State Corporation Commission, or other central State agency. If the said system of taxation shall, for any reason become inoperative the General Assembly shall have power to prescribe some other system in lieu thereof, and to provide how and by what agencies it shall be administered.

The amendment ratified June 19, 1928.—Sections 176 to 181 of the Constitution of 1902 promulgated in detail a system of taxation as to railway and canal corporations. Section 181, however, gave the General Assembly authority, after January 1, 1913, to modify or change the system, and declared that if the system should for any reason become inoperative, the General Assembly would have power to adopt some other system. The amendments continue these six sections with various changes in phraseology and some in meaning. In general, it may be said that adequate provision is made for such legislation as may be necessary in the future to protect the State. The provision in the former section 176, declaring that no tax should be laid upon the net income of any railway or canal corporation, has been omitted, as well as details of no value. The material change worth mentioning is that as long as the system of taxation so set out remains operative, the backbone of which system is the franchise tax measured by gross receipts, the jurisdiction of the State Corporation Commission, or other central State agency, to administer the system will be preserved; but that if the system should for any reason become inoperative (that is to say, declared unconstitutional), the General Assembly may not only prescribe some other system in lieu thereof, but may provide how and by what agencies, State or local, it shall be administered. (Sec. 181.)

Sec. 182. (Omitted.)

Section repealed June 19, 1928.—Section 182 related to the taxation of shares of stock issued by trust and security companies chartered by this State, and by incorporated banks. This section, being of no value or legal effect, was omitted and thereby repealed.

Sec. 183. Property exempt from taxation.

Unless otherwise provided in this Constitution, the following property and no other shall be exempt from taxation, State and local, including inheritance taxes:

Digitized by Google

(a) Property owned directly or indirectly by the Commonwealth or any political sub-division thereof, and obligations of the Commonwealth issued since February fourteenth, eighteen hundred and eighty-two, or hereafter exempted by law.

(b) Buildings with land they actually occupy, and the furniture and furnishings therein and endowment funds lawfully owned and held by churches or religious bodies, and wholly and exclusively used for religious worship, or for the residence of the minister of any such church or religious body, together with the additional adjacent land reasonably necessary for the convenient use of any such building.

(c) Private or public burying grounds or cemeteries and endowment funds, lawfully held, for their care, provided the same are not operated for profit.

(d) Property owned by public libraries, incorporated colleges or other incorporated institutions of learning, not conducted for profit, together with the endowment funds thereof not invested in real estate. But this provision shall apply only to property primarily used for literary, scientific or educational purpose or purposes incidental thereto. It shall not apply to industrial schools which sell their product to other than their own employees or students.

(e) Real estate belonging to, actually and exclusively occupied and used by, and personal property, including endowment funds, belonging to Young Men's Christian Associations, and other similar religious associations, orphan or other asylums, reformatories, hospitals and nunneries, conducted not for profit, but exclusively as charities, also parks or playgrounds held by trustees for the perpetual use of the general public.

(f) Buildings with the land they actually

Digitized by Google

occupy, and the furniture and furnishing therein, belonging to any benevolent or charitable association and used exclusively for lodge purposes or meeting rooms by such association, together with such additional adjacent land as may be necessary for the convenient use of the buildings for such purposes; and

(g) Property of the Association for the Preservation of Virginia Antiquities, the Confederate Memorial Literary Society, the Mount Vernon Ladies' Association of the Union, The Virginia Historical Society, The Thomas Jefferson Memorial Foundation, Incorporated, the posts of the American Legion and such other similar organizations or societies as may be prescribed by law.

Except as to class (a) above, general laws may be enacted restricting but not extending the above exemptions.

Nothing contained in this section shall be construed to exempt from taxation the property of any person, firm, association, or corporation, who shall, expressly or impliedly, directly or indirectly, contract or promise to pay a sum of money or other benefit, on account of death, sickness, or accident to any of its members or other person.

Whenever any building or land, or part thereof, mentioned in this section, and not belonging to the State, shall be leased or shall otherwise be a source of revenue or profit, all of such buildings and land shall be liable to taxation as other land and buildings in the same county, city or town. But the General Assembly may provide for the partial taxation of property not exclusively used for the purposes herein named.

Nothing herein contained shall be construed as authorizing or requiring any county, city, or town to tax for county, city, or town purposes, in viola-

Digitized by Google

tion of the rights of the lessees thereof, existing under any lawful contract heretofore made, any real estate owned by such county, city or town, as heretofore leased by it.

Obligations issued by counties, cities or towns may be exempted by the authorities of such localities from local taxation.

The amendment ratified June 19, 1928.—What property, real and personal, is exempt from taxation, State and local, is described in section 183. The section has been recast, without changing the meaning to any great extent. The endowment funds of churches or religious bodies, are expressly made exempt, as well as the endowment funds of private or public burying grounds or cemeteries lawfully held for their care, provided the same are not operated for profit. The latter proposal was suggested by the decision of the Supreme Court of Appeals in the case of Hollywood Cemetery Company v. Commonwealth, 123 Va. 106. The amended section also exempts from taxation parks and playgrounds held by trustees for the perpetual use of the general public. The property of the Thomas Jefferson Memorial Foundation, Incorporated, the posts of the American Legion, and such other similar organizations or societies as may be prescribed by law, is also made exempt from taxation, along with the property of the Virginia Historical Society, the Association for the Preservation of Virginia Antiquities, the Confederate Memorial Literary Society, and the Mount Vernon Ladies' Association of the Union, which associations were formerly as well as are now expressly named in the Constitution as beneficiaries of this privilege. The General Assembly, however, has the same power as it formerly had to restrict, but not to extend, all exceptions from taxation, except property owned directly or indirectly by the United States, the Commonwealth, or any political subdivision thereof, and obligations of the Commonwealth issued since February 14, 1882, or hereafter exempted by law. A material change is made so as to authorize the General Assembly to provide for the partial taxation of property not exclusively used for purposes which make the property tax-exempt.

The amendment ratified November 5, 1946, omitted the words "the United States,", preceding the words "the Commonwealth" in paragraph "(a)".

Sec. 183-a. Officers' salaries not exempt from income tax.

The provisions of this Constitution forbidding the diminution of the salary or compensation of a judge or other officer during his term of office

Digitized by Google

shall not be construed to exempt such salary or compensation from State income tax thereon.

New section ratified June 19, 1928.—The Constitution provides that the salaries of the State judges and a few other State officers shall not be diminished during their terms of office. Under similar language contained in the Federal Constitution, the Supreme Court of the United States held that the salaries of the President and Federal judges are exempt from the Federal income tax. These decisions were never recognised as equivalent to settling the question in Virginia, and the State judges and the few other State officers to whom the Virginia provision relates, were in the habit of filing State income tax returns and paying the regular taxes on their salaries. The new section nevertheless removes whatever doubt there may have been on the subject.

Sec. 184. Authorization of certain debts.

The General Assembly may contract debts to meet casual deficits in the revenue, to redeem a previous liability of the State, to suppress insurrection, repel invasion, or defend the State in time of war.

Sections 184, 184-a, and 184-b; revision of June 19, 1928.—Before the revision of June 19, 1928, section 184 read as follows:

> "No debt shall be contracted by the State except to construct, or reconstruct, public roads, to meet casual deficits in the revenue, to redeem a previous liability of the State, to suppress insurrection, repel invasion, or defend the State in time of war. No scrip, certificate, or other evidence of State indebtedness, shall be issued, except for the transfer or redemption of stock previously issued, or for such debts as are expressly authorized in this Constitution."

The amendments retain the last sentence without change, except that they transfer it from section 184 and make it a new section, numbered 184-b. The amendments also retain the first sentence without change, except that the authorization relating to road bonds is omitted. Under the former section, the General Assembly could issue road bonds without limit and without submitting the question to the people. As a substitute for the omission relating to road bonds, the amendments add a new section, numbered 184-a. This new section applies to road bonds as well as bonds for other capital outlays; it requires a vote of the people, and the aggregate amount of the debts authorized by it cannot at any one time exceed one per centum of the assessed value of all the taxable real estate in the State. Based upon the current assessment, the maximum limitation

Digitized by Google

is about twelve million dollars. The procedure under the section, if indeed, there ever is any, will be as follows: The General Assembly will enact a law authorizing such bonds for some single purpose constituting a new capital outlay, such single purpose being distinctly specified in the law. A majority vote of all the members of the General Assembly elected to each house will be necessary for the passage of such law. On the final passage of such law in each house, a recorded vote will be taken on the question: "Shall this bill pass, and ought the same to receive the sanction of the people?" If the law be thus duly passed, the question must then be submitted to the people at a general election; the law must be published for at least three months next preceding the election, and if a majority of all the votes cast for and against it be for the law, the bonds may be issued accordingly.

Sec. 184-a. Authorization of certain liabilities if approved by popular vote; limitations as to amount.

No debt or liability, except the debts specified in section one hundred and eight-four, shall be hereafter contracted by or in behalf of the State, unless such debt shall be authorized by law for some single purpose constituting new capital outlay, to be distinctly specified therein, and a vote of a majority of all the members elected to each house shall be necessary to the passage of such law. On the final passage of such law in either house of the General Assembly, the question shall be taken by ayes and noes, to be duly entered on the journals thereof, and shall be "Shall this bill pass, and ought the same to receive the sanction of the people?" No such law shall take effect until it shall have been submitted to the people at a general election, and shall have received a majority of all the votes cast for or against it. Such law shall be published, as may be prescribed by law, for at least three months next preceding such election.

The aggregate amount of the debts authorized by this section shall not at any one time exceed one per centum of the assessed value of all the taxable

Digitized by Google

real estate in the State, as shown by the last preceding assessment.

None of the provisions of this section shall apply to the debts specifically authorized by section one hundred and eighty-four of this article.

See note under section 184.

Sec. 184-b. Issues of evidences of indebtedness by State prohibited with certain exceptions.

No scrip, certificates, or other evidence of indebtedness, shall be issued, except for the transfer or redemption of stock previously issued, or for such debts as are expressly authorized in this Constitution.

See note under section 184.

Sec. 185. Lending of credit to, or subscription to stock of, corporations or persons by State, county, city or town prohibited; State shall become interested in no work of internal improvements except public roads and public parks; exceptions as to counties, cities and towns.

Neither the credit of the State, nor of any county, city, or town, shall be directly or indirectly, under any device or pretense whatsoever, granted to or in aid of any person, association, or corporation, nor shall the State, or any county, city, or town subscribe to or become interested in the stock or obligations of any company, association, or corporation, for the purpose of aiding in the construction or maintenance of its work; nor shall the State become a party to or become interested in any work of internal improvement, except public roads and public parks, or engage in carrying on any such work; nor assume any indebtedness of any county, city, or town, nor lend

Digitized by Google

its credit to the same; but this section shall not prevent a county, city, or town from perfecting a subscription to the capital stock of a railroad company authorized by existing charter conditioned upon the affirmative vote of the voters and freeholders of such county, city, or town in favor of such subscription; provided, that such vote was had prior to July first, nineteen hundred and three.

The amendment ratified June 19, 1928.—The State was prohibited by the original section 185 from becoming a party to, or becoming interested in, any work of internal improvement, except public roads, and from engaging in carrying on any such work. The term "work of internal improvement" has acquired a definite and well recognized meaning in Virginia (Shenandoah Lime Co. v. Governor, 115 Va. 865), and it is hardly possible that the State was prohibited from becoming interested in public parks; but in order that no question may be raised, the amendment inserts "public parks" after "public roads".

Sec. 186. Collection and disposition of State revenue; payment of money from State Treasurer; what appropriation shall not be made.

All taxes, licenses and other revenues of the State shall be collected by its proper officers and paid into the State treasury. No money shall be paid out of the State treasury except in pursuance of appropriations made by law; and no such appropriation shall be made which is payable more than two years and six months after the end of the session of the General Assembly at which the law is enacted authorizing the same; and no appropriation shall be made for the payment of any debt or obligation created in the name of the State during the war between the Confederate States and the United States. Nor shall any county, city, or town pay any debt or obligation created by such county, city or town in aid of said war.

Digitized by Google

Sec. 187. Sinking fund for State debts; every law creating a debt to provide for a sinking fund for its payment.

The General Assembly shall provide and maintain a sinking fund, in accordance with the provisions of section ten of the act, approved February the twentieth, eighteen hundred and ninety-two, entitled an act to provide for the settlement of the public debt of Virginia not funded under the provisions of an act entitled an act to ascertain and declare Virginia's equitable share of the debt created before and actually existing at the time of the partition of her territory and resources, and to provide for the issuance of bonds covering the same, and the regular and prompt payment of the interest thereon, approved February the fourteenth, eighteen hundred and eighty-two. Every law hereafter enacted by the General Assembly, creating a debt or authorizing a loan, shall provide for the creation and maintenance of a sinking fund for the payment or redemption of the same.

Sec. 188. Limit of tax or revenue.

No other or greater amount of tax or revenues shall, at any time, be levied than may be required for the necessary expenses of the government, or to pay the indebtedness of the State.

Sec. 189. Authorization of exemption of manufactories from local taxation.

The General Assembly may, by general law, authorize the governing bodies of cities, towns and counties to exempt manufacturing establishments and works of internal improvement from local taxation for a period not exceeding five years, as an inducement to their location.

Digitized by Google

The amendment ratified June 19, 1928.—Some of the States have constitutional provisions exempting new manufacturing establishments from taxation for limited periods. The policy of the Constitution of 1902 was against exemptions of this character; but there being some demand for a reversal of this policy, the amended section 189 allows the General Assembly to authorize by general law the governing bodies of cities, towns and counties to exempt manufacturing establishments and works of internal improvement from local taxation for a period not exceeding five years, as an inducement to their location. Section 189 originally prescribed a temporary rate of State taxation on land and tangible personal property and made provision for a temporary special tax for pensions. The original text of the section having become obsolete, the revision omits it.

ARTICLE XIV.

Miscellaneous Provisions, Homestead and Other Exemptions.

Sec. 190. Homestead exemptions; when not to apply.

Every householder or head of a family shall be entitled, in addition to the articles now exempt from levy or distress for rent, to hold exempt from levy, seizure, garnishment, or sale under execution, order, or other process issued on any demand for a debt hereafter contracted, his real and personal property, or either, including money and debts due him, to the value of not exceeding two thousand dollars, to be selected by him; provided, that such exemption shall not extend to any execution, order, or other process issued on any demand in the following cases:

First. For the purchase price of said property, or any part thereof. If the property purchased, and not paid for, be exchanged for, or converted into, other property by the debtor, such last-

Digitized by Google

named property shall not be exempted from the payment of such unpaid purchase money under the provisions of this article;

Second. For services rendered by a laboring person or mechanic;

Third. For liabilities incurred by any public officer, or officer of a court, or any fiduciary, or any attorney-at-law for money collected;

Fourth. For a lawful claim for any taxes, levies, or assessments accruing after the first day of June, eighteen hundred and sixty-six;

Fifth. For rent;

Sixth. For the legal or taxable fees of any public officer, or officers of a court.

Sec. 191. In what property homestead exemptions cannot be claimed.

The said exemption shall not be claimed or held in a shifting stock of merchandise, or in any property the conveyance of which by the homestead claimant has been set aside on the ground of fraud or want of consideration.

Sec. 192. Manner and conditions on which homestead may be set apart to be prescribed by General Assembly.

The General Assembly shall prescribe the manner and the conditions on which a householder or head of a family shall set apart and hold for himself and family a homestead in any part of the property hereinbefore mentioned. But this section shall not be construed as authorizing the General Assembly to defeat or impair the benefits intended to be conferred by the provisions of this article.

Sec. 193. Homestead previously claimed not invalidated (liberally construed).

Nothing contained in this article shall invalidate any homestead exemption heretofore claimed under

Digitized by Google

the provisions of the former Constitution; or impair in any manner the right of any householder or head of a family existing at the time that this Constitution goes into effect, to select the exemption, or any part thereof, to which he is entitled under the former Constitution; provided, that such right, if hereafter exercised, be not in conflict with the exemptions set forth in sections one hundred and ninety and one hundred and ninety-one. But no person who has selected and received the full exemption allowed by the former Constitution shall be entitled to select an additional exemption under this Constitution; and no person who has selected and received part of the exemption allowed by the former Constitution shall be entitled to select an additional exemption beyond the difference between the value of such part and a total valuation of two thousand dollars. So far as necessary to accomplish the purposes of this section, the provisions of chapter two hundred and seventy-four of the Code of Virginia, and the acts amendatory thereof, shall remain in force until repealed by the General Assembly. The provisions of this article shall be liberally construed.

Sec. 194. Stay laws prohibited; exceptions.

The General Assembly is hereby prohibited from passing any law staying the collection of debts, commonly known as "stay laws"; but this section shall not be construed as prohibiting any legislation which the General Assembly may deem necessary to fully carry out the provisions of this article.

Sec. 195. Heirs of property; children of slaves.

The children of parents, one or both of whom were slaves at and during the period of cohabitation, and who were recognized by the father as

Digitized by Google

his children, and whose mother was recognized by such father as his wife, and was cohabited with as such, shall be as capable of inheriting any estate whereof such father may have died seized or possessed, or to which he was entitled, as though they had been born in lawful wedlock.

Sec. 195-a. Terms of office of incumbents.

All incumbents of offices shall serve the term for which they have been previously selected, subject to all the contingencies which affect officials of a similar class hereafter selected.

New section.—This section is new. It was ratified June 19, 1928.

ARTICLE XV.

Future Changes in the Constitution.

Sec. 196. Amendments.

Any amendment or amendments to the Constitution may be proposed in the Senate or House of Delegates, and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the ayes and noes taken thereon, and referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates, and shall be published for three months previous to the time of such election. If, at such regular session or any subsequent extra session of that General Assembly the proposed amendment or amendments shall be agreed to by a majority of all the members elected

Digitized by Google

to each house, then it shall be the duty of the General Assembly to submit such proposed amendment or amendments to the people, in such manner and at such time as it shall prescribe; and if the people shall approve and ratify such amendment or amendments by a majority of the electors, qualified to vote for members of the General Assembly, voting thereon, such amendment or amendments shall become part of the Constitution.

The amendment ratified June 19, 1928.—Under the original section 196, when an amendment to the Constitution was proposed by the General Assembly, it was referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates, and if at such regular session, the amendment was agreed to, or concurred in, it was then submitted to the people. The amended section 196 allows the amendment to be agreed to, or concurred in, not only at such regular session, but at any subsequent extra session of that General Assembly. This change will enable the General Assembly at an extra session to review what was done at the regular session, or if no action was taken on the amendment at such regular session, the change will enable the General Assembly to act upon the amendment at an extra session following such regular session. The change is not contrary to the policy which prevents an amendment from being submitted to the people until it has been approved by two sets of members of the House of Delegates elected at different times.

Sec. 197. Constitutional convention; how called.

At such time as the General Assembly may provide, a majority of the members elected to each house being recorded in the affirmative, the question, "shall there be a convention to revise the Constitution and amend the same?" shall be submitted to the electors qualified to vote for members of the General Assembly; and in case a majority of the electors so qualified, voting thereon, shall vote in favor of a convention for such purpose, the General Assembly, at its next session, shall provide for the election of delegates to such convention; and no convention for such purpose shall be otherwise called.

Digitized by Google

ARTICLE XVI.

Rules of Construction.

Sec. 198. Rules of construction.

In this Constitution, the singular shall include the plural and the masculine the feminine.

In conferring a power or imposing a duty, "may" is permissive and "shall" is mandatory.

Omissions, having been often made for brevity, or because a part omitted was superfluous, do not necessarily imply a change of policy.

These rules do not apply where a contrary intent plainly appears.

New section.—This section is new. It was ratified June 19, 1928.

ARTICLE XVII.

Voting Qualification of Armed Forces.

Sec. 1. Certain members of armed forces exempt from payment of poll tax and from registering as condition of right to vote.

No member of the armed forces of the United States, while in active service in time of war, shall be required to pay a poll tax or to register as a prerequisite to the right to vote in any and all elections, including legalized primary elections.

Sec. 2. Relief from the assessment and payment of poll taxes as affecting the armed forces in certain cases.

All poll taxes for the years 1942, 1943, and 1944, assessed or assessable against any person who is,

Digitized by Google

or who at any time during the existing World War II has been, a member of the armed forces of the United States in active service, are hereby canceled and annulled.

And, also, all poll taxes assessed or otherwise assessable for every year during any part of which such person is a member of said forces in active service during said war or any future war, and, also, for the three years next preceding such person's discharge from said active service, provided such discharge is not dishonorable, although such person was not in said service during all of said years, are hereby canceled and annulled. Members of the armed forces of the United States in active service in time of war shall be exempt from future assessments of poll taxes by this State for all years during a part of which they are hereafter engaged in such service.

Sec. 3. Voting by persons exempt from registering or paying poll taxes.

Notwithstanding any other provision of this Constitution or of any law, every citizen of the United States, otherwise qualified to vote in this State, who is exempted from the payment of poll taxes by the provisions of this Article, shall be entitled to vote in any and all elections, including legalized primary elections, in person or by such absentee voting procedure as may be authorized by law, provided such citizen shall have registered or is exempted from registering by the provisions of this Article.

New article.—It was ordained by Constitutional Convention of 1945, effective May 3, 1945.

Digitized by Google

INDEX TO CONSTITUTION

[References are to Sections of the Constitution.]

Sec.

Agriculture
Sections on 143–146

Amendments
Constitution, how may be amended 196
Constitutional convention, how called 197

American Legion
Property of, exempt from taxation 183

Appeals
See **Supreme Court of Appeals.**

Armed Forces
Voting qualification (pp. 147–8) ..... Art. XVII

Assessment
See **Taxation.**

Association for the Preservation of Virginia Antiquities
Property of, exempt from taxation 183

Attorney General
Election, term and ascertainment of fact of election, commission, duties and compensation, removal from office 107
Governor may require opinion of, in writing 74

Attorneys for the Commonwealth
Cities, election, term, duties and compensation 119
Duties and compensation prescribed by general law, in counties 110
Election, in counties 110
Term and when elected, in counties 112

Auditing Committee of General Assembly
Appointment, powers and duties 68

Auditor of Public Accounts
Election by General Assembly 82
Powers and duties prescribed by law 82
Term 82

Bail
Applications for 109
Excessive prohibited 9

Benefit Assessments
Provisions concerning 170

Benevolent Associations
Exemption from taxation 183

Digitized by Google

Sec.

Bill of Rights
Text....1–17

Bills of Attainder
Prohibited.... 58

Board of Agriculture and Immigration
Sections on....143–146

Board of Education
See **State Board of Education.**

Boards of Supervisors
Composition of board, and election of members.... 111
General Assembly may by general laws confer upon, powers of local and special legislation.... 65
Local school taxes.... 136
Meetings, powers and duties.... 111

Bonds
Limitations on issuance by cities and towns.... 127
Officers handling public funds.... 85
Powers of counties and districts to borrow money and issue evidences of indebtedness restricted....115-a
Power of State to borrow money and to issue evidences of indebtedness....184–184-b
Virginia bonds, exemption from taxation.... 183

Bureau of Labor and Statistics
General Assembly may establish.... 86

Burying Grounds
Not operated for profit, exemption from taxation.... 183

Capital Punishment
Power of Governor to commute.... 73

Capitation Taxes
Local, State poll tax, see that heading.... 173

Cemeteries
Not operated for profit, exemption from taxation.... 183

Charitable Associations
Exemption from taxation.... 183

Charitable Institutions
Appropriations to, by General Assembly to institutions not owned or controlled by State, prohibited.... 67

Chief Justice
Who is.... 88

Churches
Appropriations to, by General Assembly, prohibited.... 67
Exemption from taxation.... 183
Not to be incorporated.... 59
Religious freedom....16,58
Title to church property may be secured.... 59

Digitized by Google

Sec.

Circuit Courts
Cities of the second class ... 97
Judges chosen by General Assembly, term, qualifications, residence ... 96
Judges may be required or authorized to hold courts in other circuits or cities ... 97
Judicial circuits, see that heading.
Terms, number ... 97

Cities
Appropriations to charitable institutions ... 67
Attorneys for Commonwealth ... 119
Circuit courts ... 97,98
City courts ... 98
Commissioners of the revenue ... 119
Consolidation with counties of charitable and penal institutions ... 110
Corporation courts ... 98
Divided into two classes for purposes of a judicial system ... 98
Examination of books, accounts and settlements of city officers handling public funds ... 115
Judge of one circuit may be required or authorized to hold court in any other circuit or city ... 97
Judges of city courts ... 99
Payment of salary of city judge in city of less than ten thousand inhabitants ... 103
Salaries of judges, increasing ... 103
See, also, Cities and Towns.

Cities and Towns
Abutting land owners, assessments for public local improvements ... 170
Assessments for public local improvements ... 170
Bonds or other interest-bearing obligations, limitations on issuance ... 127

Cities
City sergeants ... 120
City treasurers ... 120
Councils, branches, members, election; members holding other offices, wards and reapportionment of representation ... 121
Election of mayors and councils, time ... 122
Terms of office begin when ... 122
Elective officers, certain, other than mayors and councils, when elected and terms commence ... 122
Mayors ... 120
Mayors, specific duties and powers ... 120
Clerks of city courts ... 118
Credit of, not to be granted to or in aid of any person, association or corporation; subscriptions to or interest in stock or obligations of companies, etc.; State not to

Digitized by Google

Sec.

Cities and Towns—Continued
assume any indebtedness of any city or town, nor lend its credit to the same ... 185
Defined ... 116
Extension and contraction of corporate limits, special acts invalid ... 126
Franchises, granting, limitation, procedure, and further provisions ... 125
General laws for organization and government to be enacted ... 117
Special acts ... 117
Incorporated communities known as cities and towns ... 116
Incorporated communities of less than five thousand inhabitants having city charters at time of adoption of Constitution ... 116
Land added to corporate limits, taxation ... 169
Local school taxes ... 136
Officers, election or appointment ... 120
Optional forms of government ... 117
Ordinances and resolutions having effect of ordinances ... 123
Appropriation ordinances or resolutions, veto by mayor of particular items ... 123
Duties and powers of mayors ... 123
Procedure when ordinance or resolution returned to council ... 123
Vote required to pass certain ordinances and resolutions ... 123
When unsigned ordinances or resolutions shall or shall not become operative ... 123
Population, how determined ... 116
Property of, exempt from taxation ... 183
Use of streets, alleys or public grounds of a city or town by public service corporations, etc., consent of municipality necessary ... 124
Vote necessary to sell rights in and to water front, etc., streets, avenues, parks, bridges and other public places, and gas, water and electric works ... 125
See, also, **Cities; Councils.**

City Sergeants
Section on ... 120

City Treasurers
Duties of, as to persons who have paid State poll taxes in time ... 38
Section on ... 120

Clerk of House of Delegates
Keeper of the Rolls ... 66

Digitized by Google

Sec.

Clerks of Courts
City court clerks, election, term ... 118
City of less than thirty thousand inhabitants, one clerk ... 118
County clerks, see, also, **County Clerks.**
Duties of, as to persons who have paid State poll taxes in time ... 38
General Assembly may confer on clerks of probate courts jurisdiction of probate of wills, appointment and qualification of guardians, personal representatives, curators, appraisers, committees and substitution of trustees ... 101
Writs must be attested by ... 106

Clerks of Election
Appointment ... 31

Coal Lands
Taxation ... 172

Colleges
Exempt from taxation, what ... 183

Combinations
General Assembly to prevent, inimical to public welfare ... 175

Commissioner of Agriculture and Immigration
Appointment by Governor, term ... 145
Change in method of selection ... 145

Commissioner of State Hospitals for the Insane
Office abolished ... 152

Commissioners of the Revenue
Cities, election, term, duties and compensation ... 119
Duties and compensation prescribed by general law, in counties ... 110
Election in counties ... 110
Term in counties, and when elected ... 112

Commissions
To run in name of Commonwealth of Virginia, and be attested by Governor with seal of Commonwealth annexed ... 75

Common Carriers
See **Corporations; State Corporation Commission; Transportation and Transmission Companies.**

Commonwealth
Appeals not allowed in criminal cases, except in cases involving violations of State revenue laws ... 88
Credit of State not to be granted to or in aid of any person, association or corporation; subscriptions to or interest in stock or obligations of companies, etc.; State not to engage in any work of internal improvement, except public roads and public parks, nor assume any indebtedness of any county, city or town, nor lend its credit to the same ... 185

Digitized by Google

Sec.

Commonwealth—Continued
Obligations of, exemption from taxation 183
Power of State to borrow money and to issue evidence of indebtedness 184-184-b
Property of, and of political subdivisions, exempt from taxation 183
Sinking fund 187
Writs shall run in name of Commonwealth of Virginia 106

Commonwealth's Attorneys
See **Attorneys for the Commonwealth.**

Compulsory Education
Section on 138

Condemnation
See **Eminent Domain.**

Confederacy
Debts of State and localities created in aid of War Between States 186
Veterans of, and their wives or widows, exempt from payment of State poll tax as prerequisite to right to vote 22

Confederate Memorial Literary Society
Property of, exempt from taxation 183

Congressional Districts
Apportionment of State into 55

Constitution
Amendment, procedure 196
Convention to revise Constitution and amend same, how called 197
Rules of construction 198

Contempt
General Assembly may regulate exercise by courts of right to punish for 63

Corporations
Amendment or extension of certain charters, effect on exemptions from taxation, nonrepealable features of charters and exclusive rights or privileges 158
Annual registration fees 157
Charitable institutions, exemption from payment of registration fees 157
Charter, etc., fees 157
Churches not to be incorporated 59
Common carriers and public service corporations, right of State to regulate and control never to be surrendered or abridged 164
Eminent domain and police power of State shall never be abridged 159

Digitized by Google

Sec.

Corporations—Continued
Exemptions of private corporations from general laws, prohibited ... 64
Foreign corporations, discriminations against ... 163
Franchise taxes ... 170
Franks, free passes, free transportation, rebates and reductions not to be given public officers, except, etc. ... 161
General and special acts concerning corporations; what special acts prohibited ... 154
Local, special or private law creating, amending, renewing or extending charters, prohibited ... 63
Local, special or private law granting to any private corporation any special or exclusive right, privilege or immunity, prohibited ... 63
Local, special or private law naming or changing name of private corporation, prohibited ... 63
Local, special or private law remitting forfeiture of charter of any private corporation, except, etc., prohibited ... 63
Long and short hauls or transmissions ... 160
Meaning of words and terms as used in Article 12 on corporations ... 153
Construction of article ... 153
Payment of fees by domestic and foreign ... 157
Religious denominations not to be incorporated ... 59
Reports ... 157
Revocation and annulment of charters or licenses to do business ... 157
Right to tax corporations and corporate property not to be surrendered or suspended ... 64
State Corporation Commission ... 155–167
Stocks and bonds of, issuance thereof regulated ... 167
Trusts, combinations and monopolies ... 165

Councils
General Assembly may confer upon, powers of local and special legislation ... 65
See, also, **Cities and Towns.**

Counties
Appropriations to charitable institutions or associations ... 67
Consolidation ... 61
Consolidation of charitable and penal institutions ... 110
County officers, generally ... 110–113
Credit of, not to be granted to or in aid of any person, association or corporation; subscriptions to or interest in stock or obligations of companies, etc.; State not to assume any indebtedness of any county, nor lend its credit to the same ... 185
Examination of books, accounts and settlements of county officers handling public funds ... 115

Digitized by Google

Sec.

Counties—Continued
Formation of new 61
Joint action by, as to officers 110
Local, special or private law changing or locating county seats, prohibited 63
Officers holding more than one office 113
Officers may be required to give additional security on bonds or to execute new bonds 113
Optional forms of government 110
Power of, to borrow money and issue evidences of indebtedness, restricted 115-a
Property of, exempt from taxation 183
Sheriffs, counties not responsible for acts of 114
Taxes or assessments upon abutting land owners in certain counties 170
Time of regular elections for county and district officers and commencement and termination of terms 112
See, also, **Boards of Supervisors.**

County Clerks
Clerks of circuit courts 110
Election 110
Term of office 112

County School Boards
See **Public Free Schools.**

County Surveyors
Appointment 110

County Treasurers
Duties and compensation prescribed by general law 110
Duties of, as to persons who have paid State poll taxes in time 38
Election 110
Term and when elected 112

Court of Appeals
See **Supreme Court of Appeals.**

Courts
Authorized, what 87
Cities 97,98
City courts, judges 99
Indictments shall conclude, "against the peace and dignity of the Commonwealth" 106
Judicial circuits, see that heading.
Jurisdiction, generally 87
Justices of the peace 108
Land registration courts 100
Powers to grant divorces, change names of persons and to direct sales of estates of persons under disabilities, to be conferred on courts by General Assembly 63

Digitized by Google

Sec.

Courts—Continued
Powers which General Assembly may confer on clerks of courts having probate jurisdiction 101
Supreme Court of Appeals, see, also, that heading.
Writs, form 106
See, also, Judges.

Crimes
Appeals not allowed Commonwealth in criminal cases, except in cases involving violation of State revenue laws 88
Bail, applications for 109
Criminal prosecutions, generally 8
Indictments shall conclude, "against the peace and dignity of the Commonwealth" 106
Jury trial 8
Local, special or private law for punishment of, prohibited 63

Criminal Prosecutions
Generally 8

Definitions
Rules of construction 198

Department of Agriculture and Immigration
Sections on 143–146

Districts
Power of, to borrow money and issue evidence of indebtedness, restricted 115-a
See Magisterial Districts.

Division Superintendents
Selected how 132,133

Divorces
General Assembly not to grant 63

Due Process of Law
No person to be deprived of property without 11
Criminal cases 8

Duelling
Disabilities accruing 23
Removal by General Assembly 57

Education
Boards of visitors or trustees of educational institutions, appointment of members, and their terms 142
Restrictions on appropriation of public funds to schools and institutions of learning; appropriations by localities .. 141
See Public Free Schools.

Educational Institutions
Exempt from taxation, what 183

Digitized by Google

	Sec.
Elections	
Annual registration of voters to be provided for; appeals; correction of illegal or fraudulent registration; transfer of voters	25
Armed forces, voting qualification (pp. 147–8)....Art. XVII	
Ballot boxes	27
Ballot, elections by people to be by	27
Ballots, form and contents; voter may erase any name and insert another	28
Duties of local treasurers, clerks of courts, sheriffs and sergeants as to lists of persons who have paid State poll taxes in time	38
Remedy of aggrieved persons; further evidence of prepayment of State poll taxes	38
Elections and vacancies not provided for by Constitution	56
Electoral boards	31
Electoral boards, appointment by, of judges, clerks and registrars of election	31
Free	6
Local, special or private law for conducting elections or designating places of voting, prohibited	63
Oath of office	34
Officers, qualifications generally	32
Periodical	5
Persons excluded from registering and voting	23
Persons qualified to vote at next election shall be registered	26
Primary elections, who may vote in	35
Privileges of voters during time of holding elections	29
Property qualification for voters may be prescribed under certain conditions for certain local elections	30
Qualifications of voters	18
Registration of voters under general registration in 1902 and 1903	19
Registration of voters, who may register, and how	20
Regulation of, by General Assembly	36
Removal from one precinct to another	18
Representative bodies, elections by, to be viva voce and vote recorded	27
Residence of officers, soldiers, seamen or marines of the United States army or navy; inmates of charitable institutions and students	24
Secrecy of the ballot	27
State poll tax not enforceable by legal process until three years past due	22
State poll tax, what persons exempt from, as prerequisite to right to vote	22
Terms of officers begin and end when	33
Time for regular elections for county and district officers and commencement and termination of terms	112

Digitized by Google

Sec.

Elections—Continued
Voting, conditions ... 21
Voting machines ... 37
Woman suffrage ... 18

Eminent Domain
Excess condemnation ... 58
Private property not to be taken or damaged for public uses without just compensation ... 58
Right of, shall never be abridged ... 159
Sections on ... 6,58
Term "public uses" to be defined by General Assembly ... 58

Equality
Declaration of equality and rights of men ... 1

Excess Condemnation
Term "public uses" to be defined by General Assembly ... 58

Executive Department
Salaries of officers of, to be fixed by law ... 83
Increasing or diminishing during term of office ... 83
Separate from legislative and judicial departments ... 5,39
See, also, **Governor.**

Exemptions
Householders or heads of families, exemptions from claims of creditors, what allowed ... 190–193
Taxation ... 183

Ex Post Facto Laws
Prohibited ... 58

Federal
See **United States.**

Felonies
See **Crimes.**

Fences
Local, special or private law, prohibited ... 63

Finance
See **Public Debt; Taxation.**

Fines
Excessive prohibited ... 9
Power of Governor to remit ... 73

Foreign Corporations
See **Corporations.**

Franchise Taxes
Provision concerning ... 170

Free Schools
See **Public Free Schools.**

Digitized by Google

	Sec.
General Assembly	
Adjournments	46
Apportionment of Commonwealth into senatorial and house districts	43
Appropriation of public funds to schools and institutions of learning, restrictions	141
Appropriations to churches, sectarian societies, associations or institutions controlled by churches or sectarian societies, prohibited	67
Auditing committee	68
Auditor of Public Accounts, election	82
Bills of attainder	58
Changing names of persons, courts to have power	63
Churches or religious denominations not to be incorporated	59
Confirmations of appointments by Governor, effect of refusal of General Assembly	86-a
Congressional districts; apportionment of State into	55
Consists of Senate and House of Delegaes	40
Contempt of court, power to regulate	63
Counties, cities and towns, General Assembly may by general laws confer upon, powers of local and special legislation	65
Counties, new formation	61
Disabilities incurred on account of duelling, removal by General Assembly	57
Divorces, courts to have power to grant	63
Each house to be judge of election, qualification, and returns of its members	47
Election of members by General Assembly to civil offices of profit prohibited	45
Elections and vacancies not provided for by Constitution	56
Emergency acts	53
Enactment of laws, requirements	50
Ex post facto laws	58
Expulsion of members	47
Freedom of speech and of press; laws abridging	58
General appropriation acts	53
General laws to be enacted	63,64
Governor may call into extra session, when	73
Governor's duties and powers as to legislative bills	76
Habeas corpus	58
House of Delegates	
Clerk of House, Keeper of Rolls	66
Districts	43
Number and election of delegates	42
Speaker chosen by House	47

Digitized by Google

Sec.

General Assembly—Continued
Impairing obligation of contracts, laws prohibited 58
Impeachments 54
Intoxicating liquor laws 62
Joint standing committee on special, private and local legislation 51
Journals 49
Yeas and nays to be entered on Journal at desire of one-fifth of members present 49
Laws must not embrace more than one object which shall be expressed in title; revival or amendment with reference to title prohibited 52
Laws take effect when 53
Liquor laws 62
Local laws, prohibited what 63
Lotteries prohibited 60
Officers at seat of government handling revenues, checks and balances 84
Officers; rules of procedure and writs of election to fill vacancies 47
Pardoning board for misdemeanor cases may be created 73
Powers of, as to legislation generally 63
Private laws prohibited, what 63
Private property not to be taken or damaged for public uses without just compensation 58
Privileges of senators and delegates 48
Prohibition laws 62
Punishment of members 47
Qualifications of senators and delegates; removal from district 44
Quorum 46
Religious freedom 16,58
Removal by, of judges 104
Reports to, by Governor of fines and penalties, remitted, of reprieves and pardons granted and of punishment commuted 73
Salaries of members 45
Sales of estates of persons under disabilities, courts to have power to direct 63

Senate
Districts 43
Number and election of senators 41
President pro tempore 47
Sessions, extra 73
Sessions of, time and length; salaries of members to continue how long 46
Special Court of Appeals 89
Special laws prohibited, what 63

Digitized by Google

	Sec.
General Assembly—Continued	
Specific grants of authority not to work restrictions	63
State Corporation Commission, election of members	155
Stay laws, prohibited	194
Government	
Essential for preservation of free government	15
Instituted for common benefit; changes	3
Uniformity	14
Governor	
Attorney General may be required to give opinion in writing	74
Attorney General to be commissioned by	107
Board of Agriculture and Immigration, appointment of members	143
Capital punishment, commutation	73
Chief executive power vested in	69
Commander-in-chief of land and naval forces	73
Commissioner of Agriculture and Immigration, appointment	145
Commissions and grants	75
Compensation	72
Communicating to General Assembly condition of State	73
Duties, generally	73
Election	70
Extra sessions of General Assembly, calling	73
Fines, penalties, remission	73
Ineligibles to same office for term next succeeding his own or to any other office during term of service	69
Judges, commissioned by Governor	102
Judges pro tempore, appointment	87
Legislation, duties and powers of Governor as to bills	76
Procedure when bills returned to House in which they originated	76
When an unsigned bill shall or shall not become a law	76
Pardoning board, General Assembly may provide for, to commute capital punishment, to grant reprieves or pardons in misdemeanor or felony cases	73
Pardons	73
Political disabilities, removal	73
Powers, generally	73,74
Qualifications of Governor, citizenship, age, residence	71
Recommendations to General Assembly	73
Reprieves	73
Returns of election; counting the votes; tie vote; contests	70
Seat of government, must reside at	72
Secretary of the Commonwealth	80
Special sessions of General Assembly, calling	73
State Board of Education, appointment of members, subject to confirmation by General Assembly	130

Digitized by Google

Sec.

Governor—Continued
State Treasurer ... 81
Suspension of officers ... 73
Taking care that laws be faithfully executed ... 73
Term ... 69
Vacancies in offices, power to fill ... 73
Vacancies on State Corporation Commission ... 155
Veto power ... 76
Writs of election to fill vacancies during recess of General Assembly ... 47

Guilty
Plea of, in criminal cases ... 8

Habeas Corpus
Not to be suspended unless, etc ... 58
Supreme Court of Appeals, original jurisdiction ... 88

Homestead Exemption
Provisions concerning ... 190–193

Hospitals
Exempt from taxation, what ... 183

House of Delegates
See **General Assembly.**

Impeachments
Text of section on ... 54

Income Taxes
Section on ... 170,183-a

Indictments
Conclusion ... 106

Infants
Persons eighteen years of age eligible to office of notary public ... 32

Interest
Local, special or private law regulating, prohibited ... 63

Internal Improvements
Exempting new, from local taxation, provision on ... 189
State not to engage in any work of, except public roads and public parks ... 185

Intoxicating Liquors
Power of General Assembly to enact liquor laws ... 62

Jeopardy
Twice in jeopardy prohibited ... 8

Judges
Appointment by Governor of judges pro tempore ... 87
Circuit judges, see **Circuit Courts.**
Cities may increase salaries ... 103
Commissioned by Governor ... 102

Digitized by Google

Sec.

Judges—Continued
Compensation ... 102
Judicial circuits, see that heading.
Practicing law or holding other office prohibited, except, etc. ... 105
Removal by General Assembly ... 104
Retirement, compensation ... 102
Salaries, how paid ... 103
Salaries subject to State income tax ... 183-a
Supreme Court of Appeals, see **Supreme Court of Appeals.**
Term ... 102
Vacancies ... 102

Judges of Election
Appointment ... 31

Judicial Circuits
Continued until changed ... 94
Re-arrangement ... 95
Restrictions on creation of new circuits ... 95

Judicial Department
Courts authorized ... 87
Separate from legislative and executive departments ... 5, 39
See **Courts; Supreme Court of Appeals; Circuit Courts; Cities and Towns.**

Jury Trial
Number of jurors in civil cases ... 11
Preserved in civil cases ... 11
Preserved in criminal cases ... 8

Justices of the Peace
Appointment or election of, may be provided for by General Assembly ... 108
Trial of certain cases by, without jury ... 8

Keeper of the Rolls
Clerk of House of Delegates is ... 66

Labor
Local, special or private law regulating, prohibited ... 63

Land
See **Taxation.**

Land Registration
Courts of ... 100

Laws
See **General Assembly; Statutes.**

Legislative Department
Separate from executive and judicial ... 5, 39
See **General Assembly.**

Libraries
Exempt from taxation, what ... 183

Digitized by Google

Sec.

License Taxes
Provision concerning ... 170

Lieutenant Governor
Compensation ... 79
Election, term, qualifications and manner and ascertainment of election ... 77
President of Senate ... 79
Right to vote ... 79
When to be Governor ... 78
Discharge of executive functions in other necessary cases ... 78

Literary Fund
Annual interest on, how appropriated ... 135
Establishing, limiting, excess for school purposes including teachers retirement fund ... 134

Local Assessments
Provisions concerning ... 170

Local Capitation Taxes
Provision concerning ... 173

Local School Boards
See Public Free Schools.

Lotteries
Prohibited ... 60

Magisterial Districts
Additional districts ... 111
Election of supervisors ... 111
Power of, to borrow money and issue evidences of indebtedness, restricted ... 115-a

Mandamus
Supreme Court of Appeals, original jurisdiction ... 88

Manufacturing
Local, special or private law regulating, prohibited ... 63

Manufacturing Establishments
Authorization of exemption of new, from local taxation for limited period ... 189

Mayors
See Cities and Towns.

Militia
Military subordinate to civil power ... 13
Proper defense of a free State ... 13
Standing armies in time of peace dangerous to liberty ... 13

Mineral Lands
Taxation ... 172

Mining
Local, special or private law regulating, prohibited ... 63

Digitized by Google

Sec.

Miners
Persons eighteen years of age eligible to office of notary public ... 32

Misdemeanors
See Crimes.

Monopolies
General Assembly to prevent, inimical to public welfare ... 165

Mount Vernon Ladies' Association of the Union
Property of, exempt from taxation ... 183

Municipal Corporations
See Cities and Towns.

Notaries Public
Who eligible ... 32

Not Guilty
Plea of, in criminal cases ... 8

Oath of Officers
Prescribed ... 34

Obligation of Contracts
Impairment of, prohibited ... 58

Officers
Bonds of officers, etc., handling public funds ... 85
Checks and balances between, at seat of government, entrusted with handling revenues ... 84
Confirmations of appointments by Governor, effect of refusal of General Assembly ... 86-a
Governor may require information from ... 74
Impeachment ... 54
Incumbents ... 195-a
Local, special or private law changing compensation during term, prohibited ... 63
Local, special or private law granting extra compensation, prohibited ... 63
Oath prescribed ... 34
Qualifications generally ... 32
Salaries of officers of executive department fixed by law ... 83
Salaries subject to State income tax ... 183-a
Terms begin and end when ... 33
Vacancies in offices, power of Governor to fill ... 73
See, also, Cities and Towns; Counties.

Offices
Not to be hereditary ... 4
Technical or professional training and experience, offices requiring, special provision on ... 32

Oysters
Natural oyster beds, rocks and shoals to be held in trust for benefit of people of State; surveys ... 175

Digitized by Google

Sec.

Pardons
Pardoning board, General Assembly may provide for, to commute capital punishment, to grant reprieves or pardons in misdemeanor or felony cases ... 73
Power of Governor to grant ... 73

Penal Institutions
Section on ... 147

Penalties
Power of Governor to remit ... 73

Pensions
Local, special or private law granting, prohibited ... 63

People
Source of power ... 2

Personal Property
See **Taxation.**

Police Power
Abridgment prohibited ... 159

Political Disabilities
Power of Governor to remove ... 73

Poll Tax
See **State Poll Tax.**

Press
Freedom of ... 12
Freedom of, not to be abridged ... 58

Primary Elections
Who may vote in ... 35
See **Elections.**

Prohibition
Liquor laws ... 62
Supreme Court of Appeals, original jurisdiction ... 88

Property
See **Taxation.**

Public Debt
Debts of State and localities created during War Between the States ... 186
Power of State to borrow money and to issue evidences of indebtedness ... 184–184-b
Sinking funds to be created and maintained for payment of public debts or loans ... 187

Public Free Schools
Agricultural, normal, manual training and technical schools; grades of schools ... 137
Appropriations for, generally ... 135
Colored children must not be taught in same school with white children ... 14

Digitized by Google

Sec.

Public Free Schools—Continued
Compulsory education ... 138
Division of State into divisions by State Board of Education ... 132
Division superintendents of schools, how selected ... 132,133
Efficient system to be established and maintained ... 129
Free textbooks for poor ... 139
Literary fund ... 134
Local school taxes ... 136
Restrictions on appropriation of public funds to schools and institutions of learning; appropriations by localities ... 141
School districts ... 133
School trustees, local ... 132,133
Schools of primary and grammar grades, support, apportionment of funds ... 135
State Board of Education ... 130, 132, 133
State Board of Education, see, also, that heading.
Superintendent of Public Instruction ... 131
White and colored children must not be taught in same school ... 140

Public Instruction
See **Public Free Schools.**

Public Parks
State may become interested in ... 185

Public Service Corporations
Assessment of real estate and tangible personal property by central State agency ... 169
Franchises, granting by cities and towns, limitation, procedure, and further provisions ... 125
Railroad and canal companies, assessment and taxation generally ... 176–181
Rolling stock, taxation of ... 171
Transportation and transmission companies, powers of State Corporation Commission ... 156
Use of streets, alleys or public grounds of a city or town, consent of municipality necessary ... 124
See, also, **Corporations; State Corporation Commission; Transportation and Transmission Companies.**

Public Welfare
Section on ... 147

Punishments
Cruel and unusual prohibited ... 9

Railroad and Canal Corporations
Assessment and taxation ... 176–181

Digitized by Google

Sec.

Railroad Companies
Doctrines of fellow-servant and assumption of risk..... 162
Power of General Assembly to enlarge or extend rights and remedies..... 162
Paralleling, intersecting, connecting with or crossing lines one by another or others; rights and duties..... 166
Paralleling line of Richmond, Fredericksburg and Potomac..... 166
See **Corporations; State Corporation Commission; Transportation and Transmission Companies.**

Real Estate
See **Taxation.**

Registrars of Election
Appointment..... 31

Religion
Churches or religious denominations not to be incorporated..... 59
Property of religious bodies, exemption from taxation..... 183

Religious Freedom
Guaranteed..... 16, 58

Reprieves
Power of Governor to grant..... 73

Richmond, Fredericksburg and Potomac Railroad
General Assembly may prevent railroad from being built parallel to line of..... 166

Rules of Construction
Certain..... 198

School Boards
Power of, to borrow money and to issue evidences of indebtedness restricted..... 115-a
See, also, **Public Free Schools.**

School Districts
Power of, to borrow money and to issue evidences of indebtedness restricted..... 115-a
See, also, **Public Free Schools.**

School Divisions
See **Public Free Schools.**

Schools
See **Public Free Schools.**

Search Warrants
General, prohibited..... 10

Digitized by Google

Sec.

Secretary of the Commonwealth
Abolition of office authorized ... 80
Appointment of, by Governor, subject to confirmation by General Assembly ... 80
Manner of selection may be changed after January 1, 1932 ... 80
Term ... 80

Sectarian Society
Appropriations to, by General Assembly, prohibited ... 67

Segregation
Taxable subjects ... 168, 171, 172

Senate
See **General Assembly.**

Sergeants
Duties of, as to persons who have paid State poll taxes in time ... 38
See, also, **Cities and Towns.**

Sheriffs
Counties not responsible for acts ... 114
Duties and compensation prescribed by general law ... 110
Duties of, as to persons who have paid State poll taxes in time ... 38
Election, in counties ... 110
Term and when elected, in counties ... 112

Sinking Fund
Creation and maintenance for payment of public debts or loans ... 187

Slaves
Children of certain former slaves made capable of inheriting property from their fathers ... 195

Speaker of House of Delegates
Chosen by House ... 47

Special Court of Appeals
Section on ... 89

Speech
Freedom of ... 12
Freedom of, not to be abridged ... 58

State
See **Commonwealth.**

State Board of Education
Appointment, composition, and terms of members ... 130
Duties and powers, generally ... 132
General supervision of school system vested in ... 130
Literary fund ... 134
Management and investment of school fund ... 132
Rules and regulations for management and conduct of schools ... 132

Digitized by Google

Sec.

State Board of Education—Continued
Textbooks and educational appliances, selection 132
General Assembly may prescribe time in which State board may change textbooks 132

State Capitation Tax
Amount and upon whom to be levied; disposition of revenues thus raised; exemptions under poor debtors' law not affected 173
Disposition of revenue 135
Not enforceable by legal process until three years past due 22

State Corporation Commission
Chairman 155
Clerk 155
Divisions or bureaus of insurance, banking, etc 155
Employees generally 155
Jurisdiction, powers and duties; procedure; power of General Assembly to amend section 156
Members, number and how selected 155
Term, qualifications, vacancies 155
Office to be kept open 155
Permanent records 155
Quarters and funds 155
Quorum 155
Railroad and canal companies, assessment and taxation 176–181
Rate-making 156
Removal of members 155
Rules of order and procedure 155
Salaries of members 155
Sessions 155
Transportation of members 155
See, also, **Corporations.**

State Franchise Taxes
Provision concerning 170

State Poll Tax
See **State Capitation Tax.**

State Treasurer
Appointment 81
Change in method of selection after January 1, 1932 81
Powers and duties prescribed by law 81
Term 81

State Treasury
Local, special or private law refunding money lawfully paid into, prohibited 63

Digitized by Google

Sec.

State Treasury—Continued
Revenue of State to be paid into; no disbursements except in pursuance of appropriations made by law; appropriations must not be made payable more than two years and six months after end of session at which made ... 186

Statutes
Emergency acts ... 53
Enactment of ... 50, 51, 52, 53
General appropriation acts ... 53
General laws to be enacted ... 63, 64
Governor's powers and duties ... 76
Powers of General Assembly generally ... 63
Special, private and local legislation prohibited, what ... 63
Take effect when ... 53

Stay Laws
Prohibited ... 194

Stocks
Issuance by corporations regulated ... 167

Suffrage
Participation in government ... 6
See Elections.

Superintendent of Public Instruction
Appointment by Governor, subject to confirmation by General Assembly ... 131
Change in method of selection ... 131
Qualifications ... 131
Term ... 131
See, also, Public Free Schools.

Superintendents of the Poor
Election or appointment ... 110

Supervisors
See Boards of Supervisors.

Supreme Court of Appeals
Appeals not allowed Commonwealth in criminal cases, except cases involving violations of law relating to State revenue ... 88
Appellate jurisdiction ... 88
Bonds not required of accused persons as condition of appeal ... 88
Supersedeas ... 88
Chief Justice, judge longest in continuous service is ... 88
Who, when two or more have served for same period ... 88
Divisions, sitting in ... 88
Final judgment in civil cases ... 90
Judgment for unliquidated damages not to be increased or diminished ... 90

Digitized by Google

Sec.

Supreme Court of Appeals—Continued
Habeas corpus, mandamus and prohibition, original jurisdiction ... 88
Judges, how chosen ... 91
Judges to have title of Justice ... 88
Jurisdiction ... 88
Law library, control, appointment of librarian and other employees ... 92
Number of judges ... 88
Officers of ... 92
Opinions ... 90
Qualifications of judges ... 91
Quorum ... 88
Remanding cases for new trials ... 90
Sessions at two or more places in State ... 93
Special Court of Appeals ... 89
State Corporation Commission, appeals ... 156

Suspension of Laws
Prohibited, without consent of representatives of people ... 7

Tangible Personal Property
See Taxation.

Taxation
Abutting land owners, taxes on, for public local improvements ... 170
Appeals allowed Commonwealth in cases involving violations of laws relating to State revenue ... 88
Assessment for local taxation of real estate and tangible personal property regulated by General Assembly as to manner and time ... 171
Canal and railroad companies ... 176–181
Capitation tax, collection ... 173
Capitation tax, disposition of revenue ... 173
Capitation tax, local ... 173
Coal and mineral lands, assessment for local taxation ... 172
Enactment of tax laws ... 50
Franchise taxes ... 170
Income taxes ... 170
Land added to corporate limits by cities and towns ... 169
License taxes ... 170
Local school taxes ... 136
Local, special or private law exempting property from taxation, prohibited ... 63
Local, special or private law extending time for assessment or collection of taxes, prohibited ... 63
Local, special or private law for assessment and collection of taxes, prohibited ... 63
Manufacturing establishments and works of internal improvement, exemption of new from local taxation or limited period ... 189

Digitized by Google

Sec.

Taxation—Continued
Mineral and coal lands, assessment for local taxation..... 172
Officers' salaries not exempt from income tax.....183-a
Property, real and personal, what exempt from taxation, State and local, including inheritance taxes..... 183
Property taxable, except, etc..... 168
Public local improvements in cities and towns and in certain counties..... 170
None elsewhere..... 170
Public service corporations, assessment of real estate and tangible personal property by central State agency..... 169
Railroad and canal companies.....176-181
Real estate and tangible personal property assessable at fair market value..... 169
Real estate not taxable for State purposes..... 171
Real estate subject to local taxation only..... 171
Revenue of State to be paid into State treasury; no disbursements except in pursuance of appropriations made by law; appropriations must not be made payable more than two years and six months after end of session at which made..... 186
Segregation.....168, 171, 172
Shares of stock issued by corporations..... 170
State capitation tax, liability to..... 173
State property tax for State purposes on real estate and tangible personal property prohibited, except on rolling stock of public service corporations..... 171
Statute of limitation not to run against claim of State for taxes; failure to assess property, effect..... 174
Tangible personal property, except rolling stock of public service corporations, not taxable for State purposes..... 171
Tangible personal property, except rolling stock of public service corporations, subject to local taxation only..... 171
Taxable subjects may be defined and classified by General Assembly..... 168
Taxes in excess of needs of government not to be levied..... 188
Taxes levied and collected under general laws..... 168
Uniformity as to classes..... 168

Thomas Jefferson Memorial Foundation, Inc.
Property of, exempt from taxation..... 183

Towns
See Cities and Towns.

Trade
Local, special or private law regulating, prohibited..... 63

Transportation and Transmission Companies
Assessment and taxation generally, of railway and canal corporations.....176-181

Digitized by Google

Sec.

Transportation and Transmission Companies—Continued
Employees of railroad companies; doctrines of fellow-servant and assumption of risk; power of General Assembly to enlarge or extend rights and remedies 162
Franks, free passes, free transportation, rebates and reductions not to be given public officers, except, etc. 161
Long and short hauls or transmissions 160
Powers of State Corporation Commission, as to 156
Further, see **Corporations.**

Treasurer of Virginia
See **State Treasurer.**

Trusts
General Assembly to prevent, inimical to public welfare 165

United States
Congressional districts, apportionment of State into 55
Officers and employees not eligible for appointment to electoral boards or as registrars or judges of election 31
Persons and their wives or widows who served in War Between States exempt from payment of State poll tax as prerequisite to right to vote 22

Venue
Local, special or private law changing, prohibited 63

Veto
Governor's power of 76

Virginia
See **Commonwealth.**

Virginia Historial Society
Property of, exempt from taxation 183

Virginia Polytechnic Institute
President is ex-officio member of Board of Agriculture and Immigration 143
President of Board of Agriculture and Immigration ex-officio member of Board of Visitors 146

Voters
See **Elections.**

Voting Machines
Provision for 37

War Between the States
Debts of State and localities created during 186
See, also, **Confederacy; United States.**

Waters
Local, special or private laws, certain, prohibited 63

Digitized by Google

Sec.

Woman Suffrage
Right to vote not denied or abridged on account of sex..... 18

Young Men's Christian Associations
Exemption from taxation..... 183

Digitized by Google

ALDERMAN LIBRARY
The return of this book is due on the date indicated below

DUE	DUE
4.23.95	

559

Digitized by Google

Digitized by Google